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DUGGINS  
WREN  
&  
MANN &  
ROMERO, LLP

TEXAS  
COMMISSION  
ON ENVIRONMENTAL  
QUALITY

2022 APR 21 PM 2:08

CHIEF CLERKS OFFICE

One American Center  
600 Congress  
Suite 1900  
Austin, TX 78701

April 21, 2022

P.O. Box 1149  
Austin, TX 78767

p: 512.744.9300  
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www.dwmrlaw.com

Via Hand Delivery

Toby Baker  
Executive Director

Texas Commission on Environmental Quality  
12015 Park 35 Circle, Bldg. F, Ste. 4208  
Austin, Texas 78753

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APR 21 2022

EXECUTIVE OFFICE

RE: Petition to Revoke TPDES Permit No. WQ0015722001

Dear Mr. Baker:

1817 Lacey, Ltd. respectfully submits the enclosed Petition to Revoke TPDES Permit No. WQ0015722001 pursuant to Title 30, Section 305.66 of the Texas Administrative Code. By delivery of this letter and the enclosed documents, 1817 Lacey, Ltd. requests that the Executive Director's office file the petition with the Texas Commission on Environmental Quality, in accordance with Subsection 305.66(d).

1817 Lacey, Ltd. appreciates your attention to this matter. If you or your staff have any questions or concerns, please do not hesitate to contact me at (512) 705-0256 or Don Lewis at (512) 495-8830.

Yours truly,

Casey Bell  
cbell@dwmrlaw.com

Enclosure

cc: TCEQ Chief Clerk w/enc.

**TPDES PERMIT NO. WQ0015722001**

PETITION BY 1817 LACEY, LTD. § BEFORE THE TEXAS COMMISSION  
TO REVOKE TEXAS POLLUTION §  
DISCHARGE ELIMINATION § ON  
SYSTEM (“TPDES”) PERMIT §  
NO. WQ0015722001 § ENVIRONMENTAL QUALITY

**PETITION TO REVOKE TPDES PERMIT**

TO THE HONORABLE COMMISSIONERS:

Pursuant to 30 Texas Administrative Code (“TAC”) § 305.66, 1817 Lacey, Ltd. (“Lacey” or “Petitioner”) files this petition requesting an order from the Texas Commission on Environmental Quality (“TCEQ” or “Commission”) revoking or suspending TPDES Permit No. WQ0015722001 (the “Permit”), issued on March 21, 2019 to SigmaPro Properties, LLC, located at 13241 Harmon Road, Fort Worth, Texas 76177 (“SigmaPro” or “Permittee”).

**SUMMARY**

The basis for this petition is straightforward: In its application for the Permit (“the Permit Application”)<sup>1</sup>, SigmaPro provided the TCEQ with false information on the landowner map and the sheet attached to the landowner map, thereby depriving Petitioner of the notice required under the Texas Water Code and TCEQ rules.

Specifically, SigmaPro misrepresented the owner of 1817 Lacy Drive, the property immediately adjacent to the wastewater discharge point authorized by the Permit, which discharge directly and negatively affects Petitioner’s property. Petitioner owns 1817 Lacy Drive and has since 2005. On the landowner map and the affected landowner information sheet attached to the landowner map it submitted with the Permit Application, SigmaPro falsely identified a different

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<sup>1</sup> A copy of the Permit Application, as provided from the TCEQ to Petitioner in response to a Public Information Request (PIR), is attached as Exhibit A. For ease of reference in this petition, page numbers have been added at the bottom center of each page.

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entity as owning 1817 Lacy Drive. As a result, the TCEQ Chief Clerk did not mail notice to Petitioner of either (1) the Notice of Receipt of Application and Intent to Obtain Permit (“NORI”) or (2) the Executive Director’s Notice of Application and Preliminary Decision (“NAPD”), as was required under applicable TCEQ rules.

Petitioner never received any notice of the NORI or the NAPD and was therefore deprived of the opportunity to which it was legally entitled to submit public comments on the Permit Application and to request a contested case hearing on the Permit Application, both of which it most certainly would have done had it received the notice that was required under the law.

### **FACTUAL BACKGROUND**

SigmaPro filed the Permit Application on or about August 30, 2018, seeking authorization to discharge treated domestic wastewater from its property at an average daily flow not to exceed 9,500 gallons per day. The Permit was issued by the TCEQ on March 21, 2019.

As demonstrated by the online records of the Tarrant County Appraisal District (TCAD), Petitioner has owned 1817 Lacy Drive since July 2005.<sup>2</sup> The interactive map linked to on the TCAD account webpage for 1817 Lacy Drive also shows the property where SigmaPro’s wastewater treatment facility and discharge point authorized by the Permit are located (Account 07157029) – which is right across Lacy Drive.<sup>3</sup> All of this information is, and was, publicly available at the time SigmaPro filed the Permit Application.

Petitioner’s property at 1817 Lacy Drive is marked as “4” on the Landowner Map included by SigmaPro in Attachment C included in the Permit Application.<sup>4</sup> There is a corresponding

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<sup>2</sup> See Exhibit B, a printout of the TCAD account webpage for Petitioner’s property at 1817 Lacy Drive, and Exhibit C, (Account 06985513), a printout of the interactive map linked on that webpage.

<sup>3</sup> See Exhibit C.

<sup>4</sup> See Exhibit A at p. 54.

Affected Landowner Information sheet included as part of Attachment C, on which SigmaPro falsely states that “Closner Equipment Co Inc” is the owner of property “4” on the Landowner Map.<sup>5</sup> SigmaPro made a material misrepresentation in Attachment C to the Permit Application because Lacey, not Closner Equipment Co Inc, was the owner of property “4” at the time the Permit Application was filed, and remains the owner today. Critically, SigmaPro’s misrepresentation resulted in a lack of notice to Petitioner of the NORI and the NAPD. Nowhere on the Landowner Map or the accompanying Affected Landowner Information sheet, or anywhere else in the Permit Application, is Petitioner’s name or mailing address provided as an affected landowner, as it should have been.

The mailing labels included by SigmaPro in the Permit Application for the mailed notice from the TCEQ Chief Clerk to affected landowners required by TCEQ rules also falsely list Closner Equipment as an affected landowner and completely fail to include 1817 Lacey, Ltd. as an affected landowner to whom notice of the NORI and NAPD should be mailed.<sup>6</sup> In addition, on Attachment E to the Permit Application, the Buffer Zone Map, SigmaPro again misrepresented Closner Equipment Co. Inc. as the owner of 1817 Lacy Drive.<sup>7</sup>

As demonstrated by the Affidavit of Mabel Simpson, President of the general partner of 1817 Lacey, Ltd., Petitioner did not receive any notice of the Permit Application.<sup>8</sup> SigmaPro’s failure to provide the correct landowner information in the Permit Application deprived Petitioner

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<sup>5</sup> See Exhibit A at p. 55.

<sup>6</sup> See Exhibit A at pp. 97-98. These are revised landowner mailing labels that SigmaPro provided in response to a comment letter from TCEQ permitting staff. See Exhibit D, September 13, 2018 letter from Velma Fuller, TCEQ Water Quality Division, and September 18, 2018, letter from Janet Sims from Perkins Engineering Consultants, Inc. on behalf of SigmaPro. Petitioner could not identify or locate the original mailing labels for the affected landowners in the documentation provided to Petitioner from the TCEQ in response to the PIR for the permit file.

<sup>7</sup> See Exhibit A at p. 62.

<sup>8</sup> See Exhibit D, Affidavit of Mabel Simpson.

of any opportunity to contest the Permit Application. The TCEQ's file for the Permit demonstrates that the Chief Clerk did not mail notice of the NORI or the NAPD to Petitioner— through no fault of the Chief Clerk, but rather because SigmaPro gave the Chief Clerk false and misleading information regarding the owners of property adjacent to the site of the proposed wastewater discharge point. Ms. Simpson's affidavit also shows that Petitioner would have vigorously opposed the Permit Application, had Petitioner received proper notice of the NORI and NAPD.<sup>9</sup>

### **LEGAL ARGUMENT**

The provisions of 30 TAC § 305.66, relating to permit revocation or suspension, were created for just this kind of situation. Subsection (a) states that a TCEQ permit may be suspended or revoked for good cause at any time after an opportunity for hearing, and that good cause includes “(4) the permittee's failure in the application or hearing process to disclose fully all relevant facts, or the permittee's misrepresentation of relevant facts at any time,” and further includes “(10) such other cause sufficient to warrant termination or suspension of the authorization.” Subsection (f) goes on to provide that the TCEQ may revoke a permit upon a finding that “(3) the permit holder or applicant made a false or misleading statement in connection with an original or renewal application, either in the formal application or in any other written instrument relating to the application submitted to the commission, its officers, or its employees ....”

The correct identity of the owners of the property adjacent to SigmaPro's proposed wastewater treatment facility and wastewater discharge point were relevant facts material to the Permit Application because the Texas Water Code requires that notice of an application for a permit be given to the persons who in the judgment of the TCEQ may be affected by the

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<sup>9</sup> See Exhibit D.

application.<sup>10</sup> Through its adoption of the applicable rules for notice of TPDES permits like the Permit at issue here, the TCEQ determined that owners of adjacent properties as identified by the applicant for the permit may be affected by such permit applications and should thus receive mailed notice of the NORI and the NAPD.<sup>11</sup>

SigmaPro's complete failure to correctly identify in the Permit Application materials the owner of an adjoining tract – across which the requested discharge would flow – constitutes a clear basis upon which to apply 30 TAC § 305.66. The TCEQ should convene a public hearing and find good cause to revoke the Permit, which was obtained without providing notice to a directly affected adjacent landowner as a result of SigmaPro's misrepresentation of a critical fact in the Permit Application.

Subsection (d) of 30 TAC § 305.66 provides that a person affected by the issuance of a TCEQ permit may initiate proceedings for revocation or suspension by forwarding a petition to the executive director to be filed with the TCEQ. Petitioner has forwarded this Petition to the executive director for filing with the TCEQ and hereby requests initiation of proceedings to revoke the Permit.

Subsection (e) of 30 TAC § 305.66 provides that an affected person must serve notice of the intention and a copy of the petition to be filed on the permittee by, *inter alia*, certified mail, sent to the permittee's last address of record with the TCEQ, at least 15 days before the petition for revocation or suspension is submitted to the executive director or filed with the TCEQ for further proceedings. The affidavit of Casey A. Bell shows that Petitioner fulfilled this requirement

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<sup>10</sup> Tex. Water Code § 26.028(a).

<sup>11</sup> See 30 TAC § 39.551(b)(1), (c)(2); 30 TAC § 39.418(b)(2); 30 TAC § 39.413(1).

by mailing to SigmaPro's last address of record with the TCEQ via certified mail a copy of this petition and notice of Petitioner's intention to file same.<sup>12</sup>

Finally, subsection (g) of 30 § TAC 305.66 provides that revocation of a permit is predicated on a finding that the violation at issue is "significant," and that the permit holder or applicant has not made a substantial attempt to correct the violation. In this case, the violation – failure to provide truthful and accurate landowner information – was obviously significant in that it resulted in the complete deprivation of notice and opportunity to comment on the part of a neighboring landowner who was and is profoundly affected by the permitted discharge, and who would have vigorously opposed the Permit Application had notice been given. The TCEQ's adoption of rules that require mailed notice of a NORI and NAPD to adjacent landowners identified in the permit application<sup>13</sup> signifies a fundamental policy choice by the TCEQ that a TPDES permit should not be granted in the absence of such notice.

SigmaPro has not made any attempt to correct the violation, which was brought to its attention by letter sent in August 2020. Instead, despite having knowledge that it provided false information in the Permit Application regarding the owner of the property immediately adjacent to the wastewater discharge point, SigmaPro has rested upon the issuance of the Permit by the TCEQ to continue its wastewater discharge, in blatant disregard of the applicable rules. Its submission of false and inaccurate adjacent landowner information in the Permit Application, and the resulting lack of notice, cannot be retroactively cured by any conduct on the part of SigmaPro, and further, SigmaPro has not made any attempt whatsoever to correct its wrongdoing in this matter.

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<sup>12</sup> See Exhibit E, Affidavit of Casey A. Bell.

<sup>13</sup> See 30 TAC § 39.551(b)(1), (c)(2); 30 TAC § 39.418(b)(2); 30 TAC § 39.413(1).

The discharges from SigmaPro's property, as authorized by the Permit, have caused Petitioner substantial difficulties and harm to its property and to the business that is conducted on the property.<sup>14</sup> A significant amount of water, discharged by SigmaPro, flows onto and creates pools on Petitioner's property. The wastewater discharges authorized by the Permit have killed vegetation in its path and form stagnant green-algae ponds that saturate the ground and emit foul odors.<sup>15</sup> That this would occur would have been clear to Petitioner had it had a chance to review the Permit Application before the Permit was issued, given the flow line and natural contours of the property. Had Petitioner been provided notice of the Permit Application, as required under the law, Petitioner could have and would have objected, described the potential problem to TCEQ permitting staff, requested a contested case hearing, and availed itself of all other available administrative avenues to protest and oppose the Permit Application.<sup>16</sup>

#### **CONCLUSION AND REQUEST FOR RELIEF**

For the foregoing reasons, Petitioner 1817 Lacey, Ltd. respectfully requests that the TCEQ issue notice and provide opportunity for public hearing on this Petition to Revoke TPDES Permit No. WQ0015722001, as provided for by 30 TAC § 305.66. Following such a hearing, the TCEQ should find that good cause exists to revoke the Permit.

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<sup>14</sup> See Exhibit D.

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*



Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Casey A. Bell', with a long horizontal flourish extending to the right.

Casey A. Bell  
State Bar No. 24012271  
Don Lewis  
State Bar No. 12275600  
Duggins Wren Mann & Romero, LLP  
600 Congress Avenue, Suite 1900  
Austin, Texas 78767-1149  
Office: (512) 744-9300  
Facsimile: (512) 744-9399 (fax)

**ATTORNEYS FOR 1817 LACEY, LTD.**

*Original*

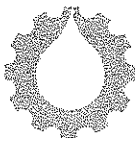
**SigmaPro Properties, LLC  
Wastewater Treatment Facility**

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
APPLICATION FOR NEW  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM  
August 2018

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WATER QUALITY DIVISION  
Applications Team



PERKINS  
ENGINEERING  
CONSULTANTS, INC.

*Hand Delivery*

*Carri Thomas*



**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
DOMESTIC WASTEWATER PERMIT APPLICATION  
CHECKLIST**

Complete and submit this checklist with the application.

APPLICANT: SigmaPro Properties, LLC (SigmaPro)

PERMIT NUMBER: New

Indicate if each of the following items is included in your application.

	Y	N		Y	N
Administrative Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original USGS Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Administrative Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Affected Landowners Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
SPIF	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Landowner Disk or Labels	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Core Data Form	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Buffer Zone Map	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Flow Diagram	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Technical Report 1.1	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Site Drawing	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.0	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Original Photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 2.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Design Calculations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Solids Management Plan	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Worksheet 3.1	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Water Balance	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Worksheet 3.2	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 3.3	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 4.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 5.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 6.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
Worksheet 7.0	<input type="checkbox"/>	<input checked="" type="checkbox"/>			

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Applications Team



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
**APPLICATION FOR A DOMESTIC WASTEWATER PERMIT  
 ADMINISTRATIVE REPORT 1.0**

If you have questions about completing this form please contact the Applications Review and Processing Team at 512-239-4671.

**Section 1. Application Fees (Instructions Page 29)**

Indicate the amount submitted for the application fee (check only one).

Flow	New/Major Amendment	Renewal
<0.05 MGD	\$350.00 <input checked="" type="checkbox"/>	\$315.00 <input type="checkbox"/>
≥0.05 but <0.10 MGD	\$550.00 <input type="checkbox"/>	\$515.00 <input type="checkbox"/>
≥0.10 but <0.25 MGD	\$850.00 <input type="checkbox"/>	\$815.00 <input type="checkbox"/>
≥0.25 but <0.50 MGD	\$1,250.00 <input type="checkbox"/>	\$1,215.00 <input type="checkbox"/>
≥0.50 but <1.0 MGD	\$1,650.00 <input type="checkbox"/>	\$1,615.00 <input type="checkbox"/>
≥1.0 MGD	\$2,050.00 <input type="checkbox"/>	\$2,015.00 <input type="checkbox"/>

Minor Amendment (for any flow) \$150.00

**Payment Information:**

Mailed      Check/Money Order Number: 1048  
                   Check/Money Order Amount: \$350.00  
                   Name Printed on Check: SigmaPro Properties, LLC

EPAY      Voucher Number:  
 Copy of Payment Voucher enclosed?      Yes

**Section 2. Type of Application (Instructions Page 29)**

- |   |   |
|---|---|
| <input checked="" type="checkbox"/> New TPDES                   | <input type="checkbox"/> New TLAP                               |
| <input type="checkbox"/> Major Amendment <u>with</u> Renewal    | <input type="checkbox"/> Minor Amendment <u>with</u> Renewal    |
| <input type="checkbox"/> Major Amendment <u>without</u> Renewal | <input type="checkbox"/> Minor Amendment <u>without</u> Renewal |
| <input type="checkbox"/> Renewal without changes                | <input type="checkbox"/> Minor Modification of permit           |

For amendments or modifications, describe the proposed changes:

For existing permits:

Permit number      EPA I.D. (TPDES only) TX

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 Applications Team

**Section 3. Facility Owner (Applicant) and Co-Applicant Information  
(Instructions Page 29)**

A. The owner of the facility must apply for the permit.

What is the Legal Name of the entity (applicant) applying for this permit?

SigmaPro Properties, LLC

*(The legal name must be spelled exactly as filed with the Texas Secretary of State, County, or in the legal documents forming the entity.)*

If the applicant is currently a customer with the TCEQ, what is the Customer Number (CN)?

You may search for your CN on the TCEQ website at <http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>

CN:

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

First/Last Name: David Underwood

Title/Prefix: CEO/Owner

Credential: P.E.

B. **Co-applicant information.** Complete this section only if another person or entity is required to apply as a co-permittee. N/A

What is the Legal Name of the co-applicant applying for this permit?

*(The legal name must be spelled exactly as filed with the TX SOS, with the County, or in the legal documents forming the entity.)*

If the co-applicant is currently a customer with the TCEQ, what is the Customer Number (CN)? You may search for your CN on the TCEQ website at

<http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=cust.CustSearch>:

CN:

What is the name and title of the person signing the application? The person must be an executive official meeting signatory requirements in 30 TAC § 305.44.

First and Last Name:

Title/Prefix:

Credential:

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Provide a brief description of the need for a co-permittee:



TX0138574

# TCEQ Core Data Form

TCEQ Use Only

For detailed instructions regarding completion of this form, please read the Core Data Form Instructions or call 512-239-5175.

## SECTION I: General Information

1. Reason for Submission <i>(If other is checked please describe in space provided.)</i>	
<input checked="" type="checkbox"/> New Permit, Registration or Authorization <i>(Core Data Form should be submitted with the program application.)</i>	
<input type="checkbox"/> Renewal <i>(Core Data Form should be submitted with the renewal form)</i>	<input type="checkbox"/> Other
2. Customer Reference Number <i>(if issued)</i>	3. Regulated Entity Reference Number <i>(if issued)</i>
CN 605566363	RN 110487162

## SECTION II: Customer Information

4. General Customer Information		5. Effective Date for Customer Information Updates (mm/dd/yyyy)	
<input checked="" type="checkbox"/> New Customer		<input type="checkbox"/> Update to Customer Information	
<input type="checkbox"/> Change in Legal Name <i>(Verifiable with the Texas Secretary of State or Texas Comptroller of Public Accounts)</i>		<input type="checkbox"/> Change in Regulated Entity Ownership	
<i>The Customer Name submitted here may be updated automatically based on what is current and active with the Texas Secretary of State (SOS) or Texas Comptroller of Public Accounts (CPA).</i>			
6. Customer Legal Name <i>(If an individual, print last name first: eg: Doe, John)</i>		<i>If new Customer, enter previous Customer below:</i>	
SigmaPro Properties, LLC			
7. TX SOS/CPA Filing Number	8. TX State Tax ID <i>(11 digits)</i>	9. Federal Tax ID <i>(9 digits)</i>	10. DUNS Number <i>(if applicable)</i>
N/A 802941223	32066311054	82-4529716	N/A
11. Type of Customer:		Partnership: <input type="checkbox"/> General <input type="checkbox"/> Limited	
<input checked="" type="checkbox"/> Corporation		<input type="checkbox"/> Individual	
Government: <input type="checkbox"/> City <input type="checkbox"/> County <input type="checkbox"/> Federal <input type="checkbox"/> State <input type="checkbox"/> Other		<input type="checkbox"/> Sole Proprietorship <input type="checkbox"/> Other:	
12. Number of Employees		13. Independently Owned and Operated?	
<input type="checkbox"/> 0-20 <input type="checkbox"/> 21-100 <input type="checkbox"/> 101-250 <input checked="" type="checkbox"/> 251-500 <input type="checkbox"/> 501 and higher		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
14. Customer Role <i>(Proposed or Actual) - as it relates to the Regulated Entity listed on this form. Please check one of the following:</i>			
<input checked="" type="checkbox"/> Owner <input type="checkbox"/> Operator <input type="checkbox"/> Owner & Operator			
<input type="checkbox"/> Occupational Licensee <input type="checkbox"/> Responsible Party <input type="checkbox"/> Voluntary Cleanup Applicant <input type="checkbox"/> Other:			
15. Mailing Address:			
13241 Harmon Rd.			
City	Fort Worth	State	TX
ZIP	76177	ZIP + 4	
16. Country Mailing Information <i>(if outside USA)</i>		17. E-Mail Address <i>(if applicable)</i>	
18. Telephone Number		19. Extension or Code	20. Fax Number <i>(if applicable)</i>
( 682 ) 888-1234			( 817 ) 887-5202

## SECTION III: Regulated Entity Information

21. General Regulated Entity Information <i>(If 'New Regulated Entity' is selected below this form should be accompanied by a permit application)</i>	
<input checked="" type="checkbox"/> New Regulated Entity <input type="checkbox"/> Update to Regulated Entity Name <input type="checkbox"/> Update to Regulated Entity Information	
<i>The Regulated Entity Name submitted may be updated in order to meet TCEQ Agency Data Standards (removal of organizational endings such as Inc, LP, or LLC.)</i>	
22. Regulated Entity Name <i>(Enter name of the site where the regulated action is taking place.)</i>	
SigmaPro Wastewater Treatment Facility	

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Applications Team

23. Street Address of the Regulated Entity: <i>(No PO Boxes)</i>		13241 Harmon Road						
24. County		City	Fort Worth	State	TX	ZIP	76177	ZIP + 4
		Tarrent <i>TX</i>						
Enter Physical Location Description if no street address is provided.								
25. Description to Physical Location:								
26. Nearest City		State			Nearest ZIP Code			
Fort Worth		TX			76177			
27. Latitude (N) In Decimal:		36.941390 <i>06</i>			28. Longitude (W) In Decimal:		97.323890	
Degrees	Minutes	Seconds	Degrees	Minutes	Seconds			
35	56	29	97	19	26			
29. Primary SIC Code (4 digits)		30. Secondary SIC Code (4 digits)		31. Primary NAICS Code (5 or 6 digits)		32. Secondary NAICS Code (5 or 6 digits)		
6519				531120				
33. What is the Primary Business of this entity? <i>(Do not repeat the SIC or NAICS description.)</i>								
Lessor of real estate properties.								
34. Mailing Address:		13241 Harmon Rd						
		City	Fort Worth	State	TX	ZIP	76177	ZIP + 4
35. E-Mail Address:								
36. Telephone Number			37. Extension or Code			38. Fax Number (if applicable)		
( 682 ) 888-1234						( ) -		

39. TCEQ Programs and ID Numbers Check all Programs and write in the permits/registration numbers that will be affected by the updates submitted on this form. See the Core Data Form instructions for additional guidance.

<input type="checkbox"/> Dam Safety	<input type="checkbox"/> Districts	<input type="checkbox"/> Edwards Aquifer	<input type="checkbox"/> Emissions Inventory Air	<input type="checkbox"/> Industrial Hazardous Waste
<input type="checkbox"/> Municipal Solid Waste	<input type="checkbox"/> New Source Review Air	<input type="checkbox"/> OSSF	<input type="checkbox"/> Petroleum Storage Tank	<input type="checkbox"/> PWS
<input type="checkbox"/> Sludge	<input type="checkbox"/> Storm Water	<input type="checkbox"/> Title V Air	<input type="checkbox"/> Tires	<input type="checkbox"/> Used Oil
<input type="checkbox"/> Voluntary Cleanup	<input checked="" type="checkbox"/> Waste Water	<input type="checkbox"/> Wastewater Agriculture	<input type="checkbox"/> Water Rights	<input type="checkbox"/> Other:
New <i>WQ001572200</i>				

**SECTION IV: Preparer Information**

40. Name:	Janet Sims	41. Title:	PECI Project Manager
42. Telephone Number	43. Ext./Code	44. Fax Number	45. E-Mail Address
( 512 ) 735-1001		( ) -	jsims@perkinsconsultants.com

**SECTION V: Authorized Signature**

46. By my signature below, I certify, to the best of my knowledge, that the information provided in this form is true and complete, and that I have signature authority to submit this form on behalf of the entity specified in Section II, Field 6 and/or as required for the updates to the ID numbers identified in field 39.

Company:	SigmaPro Properties, LLC	Job Title:	CEO/Owner
Name (In Print):	David Underwood	Phone:	( 682 ) 888-1234
Signature:	<i>David Underwood</i>	Date:	8/28/18

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WATER QUALITY DIVISION  
Applications Team

*David Underwood*  
9/13/18

**C. Core Data Form**

Complete the Core Data Form for each customer and include as an attachment. If the customer type selected on the Core Data Form is **Individual**, complete Attachment 1 of Administrative Report 1.0. Attachment: A

**Section 4. Application Contact Information (Instructions Page 30)**

This is the person(s) TCEQ will contact if additional information is needed about this application. Provide a contact for administrative questions and technical questions.

A. First and Last Name: Robert Berman Credential:  
 Organization Name: SigmaPro Title/Prefix: Project Manager  
 Mailing Address: 13241 Harmon Rd.  
 City: Fort Worth State: Texas ZIP Code: 76177  
 Phone No.: (682) 888-1239 Ext.: Fax No.: (817) 887-5202  
 E-mail Address: robert@sigmaproeng.com  
 Check one or both:  Administrative Contact  Technical Contact

B. First and Last Name: Janet Sims Credential:  
 Organization Name: Perkins Engineering Consultants, Inc. Title/Prefix: Project Manager  
 Mailing Address: 13740 N. Highway 183 #L6  
 City: Austin State: Texas ZIP Code: 78750  
 Phone No.: (512) 735-1001 Ext.: Fax No.: (512) 735-1002  
 E-mail Address: jsims@perkinsconsultants.com  
 Check one or both:  Administrative Contact  Technical Contact

**Section 5. Permit Contact Information (Instructions Page 30)**

Provide two names of individuals that can be contacted throughout the permit term.

A. First and Last Name: David Underwood Credential: P.E.  
 Organization Name: SigmaPro Title/Prefix: CEO/Owner  
 Mailing Address: 13241 Harmon Rd.  
 City: Fort Worth State: Texas ZIP Code: 76177  
 Phone No.: (682) 888-1234 Ext.: Fax No.:  
 E-mail Address: davidu@sigmaproeng.com

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B. First and Last Name: Sidnee Silva Credential:  
 Organization Name: SigmaPro Title/Prefix: Controller



Mailing Address: 13241 Harmon Rd.  
 City: Fort Worth State: Texas ZIP Code: 76177  
 Phone No.: (682) 888-1234 Ext.: \_ Fax No.: (817)887-5202  
 E-mail Address: sidnee@sigmaproeng.com

**Section 6. Billing Information (Instructions Page 30)**

The permittee is responsible for paying the annual fee. The annual fee will be assessed to permits *in effect on September 1 of each year*. The TCEQ will send a bill to the address provided in this section. The permittee is responsible for terminating the permit when it is no longer needed (using form TCEQ-20029).

First and Last Name: Sidnee Silva Credential:  
 Organization Name: SigmaPro Title/Prefix: Controller  
 Mailing Address: 13241 Harmon Rd.  
 City: Fort Worth State: Texas ZIP Code: 76177  
 Phone No.: (682) 888-1234 Ext.: \_ Fax No.:  
 E-mail Address: Sidnee@sigmaproeng.com

**Section 7. DMR/MER Contact Information (Instructions Page 31)**

Provide the name and complete mailing address of the person delegated to receive and submit Discharge Monitoring Reports (EPA 3320-1) or maintain Monthly Effluent Reports.

First and Last Name: Robert Berman Credential:  
 Organization Name: SigmaPro Title/Prefix: Project Manager  
 Mailing Address: 13241 Harmon Road  
 City: Fort Worth State: Texas ZIP Code: 76177  
 Phone No.: (682) 888-1239 Ext.: Fax No.:  
 E-mail Address: robert@sigmaproeng.com

You can submit DMR data on the TCEQ website at <https://www.tceq.texas.gov/field/netdmr/netdmr.html>. Establish an electronic reporting account with the permit number.

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**Section 8. Public Notice Information (Instructions Page 31)**

**A. Individual Publishing the Notices**

First and Last Name: Janet Sims Credential:  
 Organization Name: Perkins Engineering Consultants, Inc. Title/Prefix: Project Manager  
 Mailing Address: 13740 N. Highway 183 #L6

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 applications team

City: Austin State: Texas ZIP Code: 78750  
Phone No.: (512) 695-2468 Ext.: Fax No.:

E-mail Address: jsims@perkinsconsultants.com

**B. Method for Receiving Notice of Receipt and Intent to Obtain a Water Quality Permit Package**

Indicate by a check mark the preferred method for receiving the first notice and instructions:

- E-mail Address:
- Fax No.:
- Regular Mail:

Mailing Address:

City:

ZIP Code:

State:

Phone No.:

Ext.:

Fax:

**C. Contact person to be listed in the Notices**

First and Last Name: Robert Berman

Credential:

Organization Name: SigmaPro

Title/Prefix: Project Manager

Phone No.: (682) 888.1239

Ext.:

E-mail: robert@sigmaproeng.com

**D. Public Viewing Information**

*If the facility or outfall is located in more than one county, a public viewing place for each county must be provided.*

Public building name: City of Haslet Public Library

Location within the building: Reference desk

Physical Address of Building: 100 Gammill Street

City: Haslet

County: Tarrant

Contact Name: Librarian

Phone No.: (817) 439-4278

Ext.:

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**E. Bilingual Notice Requirements:**

This information is required for new, major amendment, and renewal applications. It is not required for minor amendment or minor modification applications.

This section of the application is only used to determine if alternative language notices will be needed. Complete instructions on publishing the alternative language notices will be in your public notice package.

Please call the bilingual/ESL coordinator at the nearest elementary and middle schools and

obtain the following information to determine whether an alternative language notices are required.

- 1. Is a bilingual education program required by the Texas Education Code at the elementary or middle school nearest to the facility or proposed facility?

Yes      No

If **no**, publication of an alternative language notice is not required; **skip** to Section 9 below.

- 2. Are the students who attend either the elementary school or the middle school enrolled in a bilingual education program at that school?

Yes      No

- 3. Do the students at these schools attend a bilingual education program at another location?

Yes      No

- 4. Would the school be required to provide a bilingual education program but the school has waived out of this requirement under 19 TAC §89.1205(g)?

Yes      No

- 5. If the answer is yes to question 1, 2, 3, or 4, public notices in an alternative language are required. Which language is required by the bilingual program? Spanish

**Section 9. Regulated Entity and Permitted Site Information (Instructions Page 33)**

Search the TCEQ's Central Registry at <http://www15.tceq.texas.gov/crpub/index.cfm?fuseaction=regent.RNSearch> to determine the RN.

If the site is found, provide the assigned Regulated Entity Number and provide the information for the site to be authorized through this application below.

TCEQ issued Regulated Entity Number (RN): RN\_

A. State/TPDES Permit No.:

Expiration Date:

EPA Identification No. (TPDES Permits only): TX

B. Name of project or site (the name known by the community where located): SigmaPro Wastewater Treatment Facility

*If the facility is located in Bexar, Comal, Hays, Kinney, Medina, Travis, Uvalde, or Williamson County, additional information concerning protection of the Edwards Aquifer may be required.*

C. Owner of treatment facility: SigmaPro

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Ownership of Facility:  Public  Private  Both  Federal

D. Owner of land where treatment facility is or will be:

First and Last Name: SigmaPro

Mailing Address: 13241 Harmon Rd.

City: Fort Worth

State: Texas

ZIP Code: 76177

Phone No.: (682) 888-1234

E-mail Address: robert@sigmaproeng.com

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment: N/A

E. Owner of effluent disposal site: N/A

First and Last Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment:

F. Owner of sewage sludge disposal site (if authorization is requested for sludge disposal on property owned or controlled by the applicant):

N/A

First/Last Name:

Mailing Address:

City:

State:

ZIP Code:

Phone No.:

E-mail Address:

If the landowner is not the same person as the facility owner or co-applicant, attach a lease agreement or deed recorded easement. See instructions.

Attachment:

**Section 10. TPDES Discharge Information (Instructions Page 34)**

A. Is the wastewater treatment facility location in the existing permit accurate?

Yes  No

If no, or a new permit application, please give an accurate description:

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The proposed wastewater treatment will be located at 13241 Harmon Road, Fort Worth, Texas in Tarrant County.

B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

- Yes  No

If no, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

The discharge is to an unnamed tributary; thence to Buffalo Creek; thence to Henrietta Creek; thence to Denton Creek; thence to Grapevine Lake in Segment 0826 of the Trinity River Basin.

City nearest the outfall(s): Fort Worth

County in which the outfalls(s) is/are located: Tarrant

Outfall Latitude: <sup>32, Harmon</sup> 35.94139 Longitude: -97.32389

C. Is or will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch?

- Yes  No

If yes, indicate by a check mark if:

- Authorization granted  Authorization pending

For new and amendment applications, provide copies of letters that show proof of contact and the approval letter upon receipt.

Attachment:

F. For all applications involving an average daily discharge of 5 MGD or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge.

N/A

**Section 11. TLAP Disposal Information (Instructions Page 36)**

A. For TLAPs, is the location of the effluent disposal site in the existing permit accurate?

- Yes  No  N/A

If no, or a new or amendment permit application, provide an accurate description of the location of the disposal site.

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disposal site location:

[Empty rectangular box for disposal site location]

B. City nearest the disposal site:

C. County in which the disposal site is located:

D. Disposal Site Latitude:

Longitude:

E. For TLAPs, describe the routing of effluent from the treatment facility to the disposal site:

[Empty rectangular box for effluent routing description]

F. For TLAPs, please identify the nearest watercourse to the disposal site to which rainfall runoff might flow if not contained:

[Empty rectangular box for watercourse identification]

**Section 12. Miscellaneous Information (Instructions Page 37)**

A. Is the facility located on or does the treated effluent cross American Indian Land?

Yes  No

B. If the existing permit contains an onsite sludge disposal authorization, is the location of the sewage sludge disposal site in the existing permit accurate?

Yes  No  Not Applicable

If No, or if a new onsite sludge disposal authorization is being requested in this permit application, provide an accurate location description of the sewage sludge disposal site.

[Empty rectangular box for location description]

C. Did any person formerly employed by the TCEQ represent your company and get paid for service regarding this application?

Yes  No

If yes, list each person formerly employed by the TCEQ who represented your company and was paid for service regarding the application:

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D. Do you owe any fees to the TCEQ?

- Yes     No

If yes, provide the following information:

Account number:

Amount past due:

E. Do you owe any penalties to the TCEQ?

- Yes     No

If yes, please provide the following information:

Enforcement order number:

Amount past due:

**Section 13. Attachments (Instructions Page 38)**

Indicate which attachments are included with the Administrative Report. Check all that apply:

Lease agreement or deed recorded easement, if the land where the treatment facility is located or the effluent disposal site are not owned by the applicant or co-applicant.

Original full-size USGS Topographic Map with the following information:

- Applicant's property boundary      **See Attachment B.**
- Treatment facility boundary
- Labeled point of discharge for each discharge point (TPDES only)
- Highlighted discharge route for each discharge point (TPDES only)
- Onsite sewage sludge disposal site (if applicable)
- Effluent disposal site boundaries (TLAP only)
- New and future construction (if applicable)
- 1 mile radius information
- 3 miles downstream information (TPDES only)
- All ponds.

Attachment 1 for Individuals as co-applicants

Other Attachments. Please specify:

**Attachment**

- A. Core Data Form
- B. USGS Map
- C. Affected Landowner Information
- D. Original Photographs
- E. Buffer Zone Map and Nuisance Odor Control Plan
- F. Process Flow Diagram
- G. Site Drawing
- H. Justification for Permit
- I. Nearby Collection System Area Map
- J. Design Calculation and Plant Features
- K. Windrose
- L. Sewage Sludge Solids Management Plan

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**Section 14. Signature Page (Instructions Page 39)**

Permit Number:

Applicant: SigmaPro Properties, LLC

Certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

I further certify that I am authorized under 30 Texas Administrative Code § 305.44 to sign and submit this document, and can provide documentation in proof of such authorization upon request.

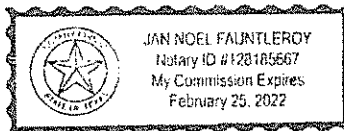
Signatory name (typed or printed): David Underwood, P.E.

Signatory title: CEO/Owner

Signature: David Underwood Date: 8/28/2018  
(Use blue ink)

Subscribed and Sworn to before me by the said David Underwood  
on this 28<sup>th</sup> day of August, 2018.  
My commission expires on the 25<sup>th</sup> day of Feb., 2022.

[Signature]  
Notary Public  
Tarrant  
County, Texas



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*If co-applicants are necessary, each entity must submit an original, separate signature page.*

ON



## DOMESTIC ADMINISTRATIVE REPORT 1.1

The following information is required for new and amendment applications.

**Section 1. Affected Landowner Information (Instructions Page 41)**

- A. Indicate by a check mark that the landowners map or drawing, with scale, includes the following information, as applicable: See Attachment C.
- The applicant's property boundaries
  - The facility site boundaries within the applicant's property boundaries
  - The distance the buffer zone falls into adjacent properties and the property boundaries of the landowners located within the buffer zone See Attachment E.
  - The property boundaries of all landowners surrounding the applicant's property (Note: if the application is a major amendment for a lignite mine, the map must include the property boundaries of all landowners adjacent to the new facility (ponds).)
  - The point(s) of discharge and highlighted discharge route(s) clearly shown for one mile downstream
  - The property boundaries of the landowners located on both sides of the discharge route for one full stream mile downstream of the point of discharge
  - The property boundaries of the landowners along the watercourse for a one-half mile radius from the point of discharge if the point of discharge is into a lake, bay, estuary, or affected by tides
  - The boundaries of the effluent disposal site (for example, irrigation area or subsurface drainfield site) and all evaporation/holding ponds within the applicant's property
  - The property boundaries of all landowners surrounding the effluent disposal site
  - The boundaries of the sludge land application site (for land application of sewage sludge for beneficial use) and the property boundaries of landowners surrounding the applicant's property boundaries where the sewage sludge land application site is located
  - The property boundaries of landowners within one-half mile in all directions from the applicant's property boundaries where the sewage sludge disposal site (for example, sludge surface disposal site or sludge monofill) is located
- B.  Indicate by a check mark that a separate list with the landowners' names and mailing addresses cross-referenced to the landowners map has been provided.
- C. Indicate by a check mark in which format the landowners list is submitted.
- Readable/Writeable CD
  - Four sets of labels
- D. Provide the source of the landowners' names and mailing addresses: Tarrant County Team Appraisal District
- E. As required by *Texas Water Code § 5.115*, is any permanent school fund land affected by this application?
- Yes
  - No

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If yes, provide the location and foreseeable impacts and effects this application has on the land(s):

**Section 2. Original Photographs (Instructions Page 44)**

Provide original ground level photographs. Indicate with checkmarks that the following information is provided. **See Attachment D.**

- At least one original photograph of the new or expanded treatment unit location
- At least two photographs of the existing/proposed point of discharge and as much area downstream (photo 1) and upstream (photo 2) as can be captured. If the discharge is to an open water body (e.g., lake, bay), the point of discharge should be in the right or left edge of each photograph showing the open water and with as much area on each respective side of the discharge as can be captured.
- At least one photograph of the existing/proposed effluent disposal site
- A plot plan or map showing the location and direction of each photograph

**Section 3. Buffer Zone Map (Instructions Page 44)**

A. Buffer zone map. Provide a buffer zone map on 8.5 x 11-inch paper with all of the following information. The applicant's property line and the buffer zone line may be distinguished by using dashes or symbols and appropriate labels. **See Attachment E.**

- The applicant's property boundary;
- The required buffer zone; and
- Each treatment unit; and
- The distance from each treatment unit to the property boundaries.

B. Buffer zone compliance method. Indicate how the buffer zone requirements will be met.

Check all that apply.

- Ownership
- Restrictive easement
- Nuisance odor control **See Attachment E.**
- Variance

C. Unsuitable site characteristics. Does the facility comply with the requirements regarding unsuitable site characteristic found in 30 TAC § 309.13(a) through (d)?

Yes  No

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TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
DOMESTIC WASTEWATER PERMIT APPLICATION

**DOMESTIC TECHNICAL REPORT 1.0**

The Following Is Required For All Applications  
Renewal, New, And Amendment

**Section 1. Permitted or Proposed Flows (Instructions Page 51)**

**A. Existing/Interim I Phase**

Design Flow (MGD):

2-Hr Peak Flow (MGD):

Estimated construction start date:

Estimated waste disposal start date:

**B. Interim II Phase**

Design Flow (MGD):

2-Hr Peak Flow (MGD):

Estimated construction start date:

Estimated waste disposal start date:

**C. Final Phase**

Design Flow (MGD): 0.0095

2-Hr Peak Flow (MGD): 0.0237

Estimated construction start date: January 2019

Estimated waste disposal start date: February 2019

**D. Current operating phase: N/A**

Provide the startup date of the facility: N/A

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**Section 2. Treatment Process (Instructions Page 51)**

**A. Treatment process description**

Provide a detailed description of the treatment process. Include the type of

treatment plant, mode of operation, and all treatment units. Start with the plant's head works and finish with the point of discharge. Include all sludge processing and drying units. If more than one phase exists or is proposed in the permit, a description of *each phase* must be provided. Process description:

The proposed SigmaPro Wastewater Treatment Facility is an activated sludge process plant operated in the extended aeration mode. The wastewater treatment plant is a packaged plant with an aeration basin, clarifier, chlorine contact chamber, and sludge holding tank.

Port or pipe diameter at the discharge point, in inches: 6

**B. Treatment Units**

In Table 1.0(1), provide the treatment unit type, the number of units, and dimensions (length, width, depth) of each treatment unit, accounting for *all* phases of operation.

*Table 1.0(1) - Treatment Units*

Treatment Unit Type	Number of Units	Dimensions (L x W x D)
Extended Aeration Basin	1	30.5' L x 10' W x 9.5' SWD
Secondary Clarifier	1	7.25' L x 10' W x 4.0' SWD
Chlorine Contact Basin	1	545 gallons
Sludge Holding Tank	1	13.5' x 10' x 9.5'

**C. Process flow diagrams**

Provide flow diagrams for the existing facilities and each proposed phase of construction.

Attachment: F

**Section 3. Site Drawing (Instructions Page 52)**

Provide a site drawing for the facility that shows the following:

- The boundaries of the treatment facility;
- The boundaries of the area served by the treatment facility;
- If land disposal of effluent, the boundaries of the disposal site and all storage/holding ponds; and
- If sludge disposal is authorized in the permit, the boundaries of the land application or disposal site.

**Attachment: G**

Provide the name and a description of the area served by the treatment facility.

The area served by the proposed treatment facility is the property owned by SigmaPro Properties, LLC.

**Section 4. Unbuilt Phases (Instructions Page 52)**

Is the application for a renewal of a permit that contains an unbuilt phase or phases?

Yes  No

If yes, does the existing permit contain a phase that has not been constructed within five years of being authorized by the TCEQ?

Yes  No

If yes, provide a detailed discussion regarding the continued need for the unbuilt phase. Failure to provide sufficient justification may result in the Executive Director recommending denial of the unbuilt phase or phases.

**Section 5. Closure Plans (Instructions Page 53)**

Have any treatment units been taken out of service permanently, or will any units be taken out of service in the next five years?

Yes  No

If yes, was a closure plan submitted to the TCEQ?

Yes  No

If yes, provide a brief description of the closure and the date of plan approval.

**Section 6. Permit Specific Requirements (Instructions Page 53)**

For applicants with an existing permit, check the *Other Requirements* or *Special Provisions* of the permit.

A. Summary transmittal **N/A – This application is for a new permit.**

Have plans and specifications been approved for the existing facilities and each proposed phase?

Yes  No

If yes, provide the date(s) of approval for each phase:

Provide information, including dates, on any actions taken to meet a requirement or provision pertaining to the submission of a summary transmittal letter. Provide a copy of an approval letter from the TCEQ, if applicable.

**B. Buffer zones**

Have the buffer zone requirements been met?

Yes  No

Provide information below, including dates, on any actions taken to meet the conditions of the buffer zone. If available, provide any new documentation relevant to maintaining the buffer zones.

**See Attachment E for Nuisance Odor Control Plan.**

**C. Other actions required by the current permit**

Does the *Other Requirements* or *Special Provisions* section in the existing permit require submission of any other information or other required actions? Examples include Notification of Completion, progress reports, soil monitoring data, etc.

Yes  No  N/A

If yes, provide information below on the status of any actions taken to meet the conditions of an *Other Requirement* or *Special Provision*.

**D. Grit and grease treatment**

**1. Acceptance of grit and grease waste**

Does the facility have a grit and/or grease processing facility onsite that treats and decants or accepts transported loads of grit and grease waste that are discharged directly to the wastewater treatment plant prior to any treatment?

Yes  No

If No, stop here and continue with Subsection E. Stormwater Management.

**2. Grit and grease processing**

Describe below how the grit and grease waste is treated at the facility. In your description, include how and where the grit and grease is introduced to the treatment works and how it is separated or processed. Provide a flow diagram showing how grit and grease is processed at the facility.

**3. Grit disposal**

Does the facility have a Municipal Solid Waste (MSW) registration or permit for grit disposal?

Yes  No

If No, contact the TCEQ Municipal Solid Waste team at 512-239-0000. Note: A registration or permit is required for grit disposal. Grit shall not be combined with treatment plant sludge. See the instruction booklet for additional information on grit disposal requirements and restrictions.

Describe the method of grit disposal.

**4. Grease and decanted liquid disposal**

Note: A registration or permit is required for grease disposal. Grease shall not be combined with treatment plant sludge. For more information, contact the TCEQ Municipal Solid Waste team at 512-239-0000.

Describe how the decant and grease are treated and disposed of after grit separation.

**E. Stormwater management**

**1. Applicability**

Does the facility have a design flow of 1.0 MGD or greater in any phase?

Yes  No

Does the facility have an approved pretreatment program, under 40 CFR Part 403?



Yes  No

If no to both of the above, then skip to Subsection F, Other Wastes Received.

**2. MSGP coverage**

Is the stormwater runoff from the WWTP and dedicated lands for sewage disposal currently permitted under the TPDES Multi-Sector General Permit (MSGP), TXR050000?

Yes  No

If yes, please provide MSGP Authorization Number and skip to Subsection F, Other Wastes Received:

TXR05 or TXRNE

If no, do you intend to seek coverage under TXR050000?

Yes  No

**3. Conditional exclusion**

Alternatively, do you intend to apply for a conditional exclusion from permitting based TXR050000 (Multi Sector General Permit) Part II B.2 or TXR050000 (Multi Sector General Permit) Part V, Sector T 3(b)?

Yes  No

If yes, please explain below then proceed to Subsection F, Other Wastes Received:

**4. Existing coverage in individual permit**

Is your stormwater discharge currently permitted through this individual TPDES or TLAP permit?

Yes  No

If yes, provide a description of stormwater runoff management practices at the site that are authorized in the wastewater permit then skip to Subsection F, Other Wastes Received.

**5. Zero stormwater discharge**

Do you intend to have no discharge of stormwater via use of evaporation or other means?

Yes  No

If yes, explain below then skip to Subsection F. Other Wastes Received.

Note: If there is a potential to discharge any stormwater to surface water in the state as the result of any storm event, then permit coverage is required under the MSGP or an individual discharge permit. This requirement applies to all areas of facilities with treatment plants or systems that treat, store, recycle, or reclaim domestic sewage, wastewater or sewage sludge (including dedicated lands for sewage sludge disposal located within the onsite property boundaries) that meet the applicability criteria of above. You have the option of obtaining coverage under the MSGP for direct discharges, (recommended), or obtaining coverage under this individual permit.

**6. Request for coverage in individual permit**

Are you requesting coverage of stormwater discharges associated with your treatment plant under this individual permit?

Yes  No

If yes, provide a description of stormwater runoff management practices at the site for which you are requesting authorization in this individual wastewater permit and describe whether you intend to comingle this discharge with your treated effluent or discharge it via a separate dedicated stormwater outfall. Please also indicate if you intend to divert stormwater to the treatment plant headworks and indirectly discharge it to water in the state.

Note: Direct stormwater discharges to waters in the state authorized through this individual permit will require the development and implementation of a stormwater pollution prevention plan (SWPPP) and will be subject to additional monitoring and reporting requirements. Indirect discharges of stormwater via headworks recycling will require compliance with all individual permit requirements including 2-hour peak flow limitations. All stormwater discharge authorization requests will require additional information during the technical review of your application.

**F. Discharges to the Lake Houston Watershed**

Does the facility discharge in the Lake Houston watershed?

Yes  No

If yes, a Sewage Sludge Solids Management Plan is required. See Example 5 in the instructions.

**G. Other wastes received including sludge from other WWTPs and septic waste**

***1. Acceptance of sludge from other WWTPs***

Does the facility accept or will it accept sludge from other treatment plants at the facility site?

Yes  No

If yes, attach sewage sludge solids management plan. See Example 5 of the instructions.

In addition, provide the date that the plant started accepting sludge or is anticipated to start accepting sludge, an estimate of monthly sludge acceptance (gallons or millions of gallons), an estimate of the BOD<sub>5</sub> concentration of the sludge, and the design BOD<sub>5</sub> concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

Note: Permits that accept sludge from other wastewater treatment plants may be required to have influent flow and organic loading monitoring.

**2. Acceptance of septic waste**

Is the facility accepting or will it accept septic waste?

Yes  No

If yes, does the facility have a Type V processing unit?

Yes  No

If yes, does the unit have a Municipal Solid Waste permit?

Yes  No

If yes to any of the above, provide a the date that the plant started accepting septic waste, or is anticipated to start accepting septic waste, an estimate of monthly septic waste acceptance (gallons or millions of gallons), an estimate of the BOD<sub>5</sub> concentration of the septic waste, and the design BOD<sub>5</sub> concentration of the influent from the collection system. Also note if this information has or has not changed since the last permit action.

Note: Permits that accept sludge from other wastewater treatment plants may be required to have influent flow and organic loading monitoring.

**3. Acceptance of other wastes (not including septic, grease, grit, or RCRA, CERCLA or as discharged by IUs listed in Worksheet 6)**

Is the facility accepting or will it accept wastes that are not domestic in nature excluding the categories listed above?

Yes  No

If yes, provide the date that the plant started accepting the waste, an estimate how much waste is accepted on a monthly basis (gallons or millions of gallons), a description of the entities generating the waste, and any distinguishing chemical or other physical characteristic of the waste. Also note if this information has or has not changed since the last permit action.



**Section 7. Pollutant Analysis of Treated Effluent (Instructions Page 58)**

Is the facility in operation?

Yes  No

If no, this section is not applicable. Proceed to Section 8.

If yes, provide effluent analysis data for the listed pollutants. *Wastewater treatment facilities* complete Table 1.0(2). *Water treatment facilities* discharging filter backwash water, complete Table 1.0(3).

Note: The sample date must be within 1 year of application submission.

*Table 1.0(2) - Pollutant Analysis for Wastewater Treatment Facilities*

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
CBOD <sub>5</sub> , mg/l					
Total Suspended Solids, mg/l					
Ammonia Nitrogen, mg/l					
Nitrate Nitrogen, mg/l					
Total Kjeldahl Nitrogen, mg/l					
Sulfate, mg/l					
Chloride, mg/l					
Total Phosphorus, mg/l					
pH, standard units					
Dissolved Oxygen*, mg/l					
Chlorine Residual, mg/l					
<i>E.coli</i> (CFU/100ml) freshwater					
Enterococci (CFU/100ml)					

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
saltwater					
Total Dissolved Solids, mg/l					
Electrical Conductivity, $\mu$ mohs/cm, †					
Oil & Grease, mg/l					
Alkalinity (CaCO <sub>3</sub> )*, mg/l					

\*TPDES permits only

†TLAP permits only

*Table 1.0(3) - Pollutant Analysis for Water Treatment Facilities*

Pollutant	Average Conc.	Max Conc.	No. of Samples	Sample Type	Sample Date/Time
Total Suspended Solids, mg/l					
Total Dissolved Solids, mg/l					
pH, standard units					
Fluoride, mg/l					
Aluminum, mg/l					
Alkalinity (CaCO <sub>3</sub> ), mg/l					

**Section 8. Facility Operator (Instructions Page 60)**

Facility Operator Name: William Lewis Tatum

Facility Operator's License Classification and Level: Wastewater Treatment Operator A

Facility Operator's License Number: WW0012918

**Section 9. Sewage Sludge Management and Disposal (Instructions**

**A. Sludge disposal method**

Identify the current or anticipated sludge disposal method or methods from the following list. Check all that apply.

- Permitted landfill
- Permitted or Registered land application site for beneficial use
- Land application for beneficial use authorized in the wastewater permit
- Permitted sludge processing facility
- Marketing and distribution as authorized in the wastewater permit
- Composting as authorized in the wastewater permit
- Permitted surface disposal site (sludge monofill)
- Surface disposal site (sludge monofill) authorized in the wastewater permit
- Transported to another permitted wastewater treatment plant or permitted sludge processing facility. If you selected this method, a written statement or contractual agreement from the wastewater treatment plant or permitted sludge processing facility accepting the sludge must be included with this application.

Other:

**Sludge will be transported to the City of Italy wastewater treatment plant (TPDES permit No. WQ0014195001). See agreement in Attachment L.**

**B. Sludge disposal site**

Disposal site name:

TCEQ permit or registration number:

County where disposal site is located:

**C. Sludge transportation method**

Method of transportation (truck, train, pipe, other): Truck

Name of the hauler: Bowman Environmental Enterprises LLC

Hauler registration number: 23623

Sludge is transported as a:

Liquid       semi-liquid       semi-solid       solid

**Section 10. Permit Authorization for Sewage Sludge Disposal (Instructions Page 60)**

**A. Beneficial use authorization**

Does the existing permit include authorization for land application of sewage sludge for beneficial use?

Yes     No

If yes, are you requesting to continue this authorization to land apply sewage sludge for beneficial use?

Yes     No

If yes, is the completed **Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)** attached to this permit application (see the instructions for details)?

Yes     No

**B. Sludge processing authorization**

Does the existing permit include authorization for any of the following sludge processing, storage or disposal options?

Sludge Composting	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Marketing and Distribution of sludge	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Sludge Surface Disposal or Sludge Monofill	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Temporary storage in sludge lagoons	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If yes to any of the above sludge options and the applicant is requesting to continue this authorization, is the completed **Domestic Wastewater Permit Application: Sewage Sludge Technical Report (TCEQ Form No. 10056)** attached to this permit application?

Yes     No

**Section 11. Sewage Sludge Lagoons (Instructions Page 61)**

Does this facility include sewage sludge lagoons?

Yes     No

If yes, complete the remainder of this section. If no, proceed to Section 12.



**A. Location information**

The following maps are required to be submitted as part of the application. For each map, provide the Attachment Number.

- Original General Highway (County) Map:  
**Attachment:**
- USDA Natural Resources Conservation Service Soil Map:  
**Attachment:**
- Federal Emergency Management Map:  
**Attachment:**
- Site map:  
**Attachment:**

Discuss in a description if any of the following exist within the lagoon area. Check all that apply.

- Overlap a designated 100-year frequency flood plain
- Soils with flooding classification
- Overlap an unstable area
- Wetlands
- Located less than 60 meters from a fault
- None of the above

**Attachment:**

If a portion of the lagoon(s) is located within the 100-year frequency flood plain, provide the protective measures to be utilized including type and size of protective structures:

**B. Temporary storage information**

Provide the results for the pollutant screening of sludge lagoons. These results are in addition to pollutant results in Section 7 of Technical Report 1.0.

Nitrate Nitrogen, mg/kg:

Total Kjeldahl Nitrogen, mg/kg:

Total Nitrogen (=nitrate nitrogen + TKN), mg/kg:

Phosphorus, mg/kg:

Potassium, mg/kg:

pH, standard units:

Ammonia Nitrogen mg/kg:

Arsenic:

Cadmium:

Chromium:

Copper:

Lead:

Mercury:

Molybdenum:

Nickel:

Selenium:

Zinc:

Total PCBs:

Provide the following information:

Volume and frequency of sludge to the lagoon(s):

Total dry tons stored in the lagoons(s) per 365-day period:

Total dry tons stored in the lagoons(s) over the life of the unit:

### C. Liner information

Does the active/proposed sludge lagoon(s) have a liner with a maximum hydraulic conductivity of  $1 \times 10^{-7}$  cm/sec?

Yes  No

If yes, describe the liner below. Please note that a liner is required.

**D. Site development plan**

Provide a detailed description of the methods used to deposit sludge in the lagoon(s):

Attach the following documents to the application.

- Plan view and cross-section of the sludge lagoon(s)

**Attachment:**

- Copy of the closure plan

**Attachment:**

- Copy of deed recordation for the site

**Attachment:**

- Size of the sludge lagoon(s) in surface acres and capacity in cubic feet and gallons

**Attachment:**

- Description of the method of controlling infiltration of groundwater and surface water from entering the site

**Attachment:**

- Procedures to prevent the occurrence of nuisance conditions

**Attachment:**

**E. Groundwater monitoring**

Is groundwater monitoring currently conducted at this site, or are any wells available for groundwater monitoring, or are groundwater monitoring data otherwise available for the sludge lagoon(s)?

Yes  No

If groundwater monitoring data are available, provide a copy. Provide a profile of soil types encountered down to the groundwater table and the depth to the shallowest groundwater as a separate attachment.

Attachment:

**Section 12. Authorizations/Compliance/Enforcement  
(Instructions Page 63)**

**A. Additional authorizations**

Does the permittee have additional authorizations for this facility, such as reuse authorization, sludge permit, etc?

Yes  No

If yes, provide the TCEQ authorization number and description of the authorization:

**B. Permittee enforcement status**

Is the permittee currently under enforcement for this facility?

Yes  No

Is the permittee required to meet an implementation schedule for compliance or enforcement?

Yes  No

If yes to either question, provide a brief summary of the enforcement, the implementation schedule, and the current status:

**Section 13. RCRA/CERCLA Wastes (Instructions Page 63)**

**A. RCRA hazardous wastes**

Has the facility received in the past three years, does it currently receive, or will it receive RCRA hazardous waste?

Yes  No

**B. Remediation activity wastewater**

Has the facility received in the past three years, does it currently receive, or will

it receive CERCLA wastewater, RCRA remediation/corrective action wastewater or other remediation activity wastewater?

Yes  No

**C. Details about wastes received**

If yes to either Subsection A or B above, provide detailed information concerning these wastes with the application.

Attachment:

**Section 14. Laboratory Accreditation (Instructions Page 64)**

All laboratory tests performed must meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*, which includes the following general exemptions from National Environmental Laboratory Accreditation Program (NELAP) certification requirements:

- The laboratory is an in-house laboratory and is:
  - periodically inspected by the TCEQ; or
  - located in another state and is accredited or inspected by that state; or
  - performing work for another company with a unit located in the same site; or
  - performing pro bono work for a governmental agency or charitable organization.
- The laboratory is accredited under federal law.
- The data are needed for emergency-response activities, and a laboratory accredited under the Texas Laboratory Accreditation Program is not available.
- The laboratory supplies data for which the TCEQ does not offer accreditation.

The applicant should review *30 TAC Chapter 25* for specific requirements.

The following certification statement shall be signed and submitted with every application. See the *Signature Page* section in the Instructions, for a list of designated representatives who may sign the certification.

CERTIFICATION: **N/A**

I certify that all laboratory tests submitted with this application meet the requirements of *30 TAC Chapter 25, Environmental Testing Laboratory Accreditation and Certification*.

Printed Name:

Title:

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

## DOMESTIC TECHNICAL REPORT 1.1

The following is required for new and amendment applications

### Section 1. Justification for Permit (Instructions Page 66)

#### A. Justification of permit need

Provide a detailed discussion regarding the need for any phase(s) not currently permitted. Failure to provide sufficient justification may result in the Executive Director recommending denial of the proposed phase(s) or permit.

Attachment H

#### B. Regionalization of facilities

Provide the following information concerning the potential for regionalization of domestic wastewater treatment facilities:

##### 1. Municipally incorporated areas

If the applicant is a city, then Item 1 is not applicable. Proceed to Item 2 Utility CCN areas.

Is any portion of the proposed service area located in an incorporated city?

Yes  No  Not Applicable

If yes, within the city limits of:

If yes, attach correspondence from the city.

Attachment:

If consent to provide service is available from the city, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the city versus the cost of the proposed facility or expansion attached.

Attachment:

##### 2. Utility CCN areas

Is any portion of the proposed service area located inside another utility's CCN area?

Yes  No

If yes, attach a justification for the proposed facility and a cost analysis of expenditures that includes the cost of connecting to the CCN facilities versus the cost of the proposed facility or expansion.

**Attachment:**

**3. Nearby WWTPs or collection systems**

Are there any domestic permitted wastewater treatment facilities or collection systems located within a three-mile radius of the proposed facility?

Yes  No

If yes, attach a list of these facilities that includes the permittee's name and permit number, and an area map showing the location of these facilities.

**Attachment: I**

If yes, attach copies of your certified letters to these facilities and their response letters concerning connection with their system.

**Attachment: I**

Does a permitted domestic wastewater treatment facility or a collection system located within three (3) miles of the proposed facility currently have the capacity to accept or is willing to expand to accept the volume of wastewater proposed in this application?

Yes  No

If yes, attach an analysis of expenditures required to connect to a permitted wastewater treatment facility or collection system located within 3 miles versus the cost of the proposed facility or expansion.

**Attachment:**

**Section 2. Organic Loading (Instructions Page 67)**

Is this facility in operation?

Yes  No

If no, proceed to Item B, Proposed Organic Loading.



If yes, provide organic loading information in Item A, Current Organic Loading

**A. Current organic loading**

Facility Design Flow (flow being requested in application):

Average Influent Organic Strength or BOD<sub>5</sub> Concentration in mg/l:

Average Influent Loading (lbs/day = total average flow X average BOD<sub>5</sub> conc. X 8.34):

Provide the source of the average organic strength or BOD<sub>5</sub> concentration.

--

**B. Proposed organic loading**

This table must be completed if this application is for a facility that is not in operation or if this application is to request an increased flow that will impact organic loading.

*Table 1.1(1) - Design Organic Loading*

Source	Total Average Flow (MGD)	Influent BOD <sub>5</sub> Concentration (mg/l)
Municipality		
Subdivision		
Trailer park - transient		
Mobile home park		
School with cafeteria and showers		
School with cafeteria,		

Source	Total Average Flow (MGD)	Influent BOD <sub>5</sub> Concentration (mg/l)
no showers		
Recreational park, overnight use		
Recreational park, day use		
Office building or factory	0.0095	300
Motel		
Restaurant		
Hospital		
Nursing home		
Other		
TOTAL FLOW from all sources	0.0095	
AVERAGE BOD <sub>5</sub> from all sources		300

**Section 3. Proposed Effluent Quality and Disinfection (Instructions Page 68)**

**A. Existing/Interim I Phase Design Effluent Quality**

Biochemical Oxygen Demand (5-day), mg/l:

Total Suspended Solids, mg/l:

Ammonia Nitrogen, mg/l:

Total Phosphorus, mg/l:

Dissolved Oxygen, mg/l:

Other:

**B. Interim II Phase Design Effluent Quality**

Biochemical Oxygen Demand (5-day), mg/l:

Total Suspended Solids, mg/l:

Ammonia Nitrogen, mg/l:

Total Phosphorus, mg/l:

Dissolved Oxygen, mg/l:

Other:

**C. Final Phase Design Effluent Quality**

Biochemical Oxygen Demand (5-day), mg/l: 10

Total Suspended Solids, mg/l: 15

Ammonia Nitrogen, mg/l:

Total Phosphorus, mg/l:

Dissolved Oxygen, mg/l: 4

Other:

**D. Disinfection Method**

Identify the proposed method of disinfection.

Chlorine: 1.0 mg/l after 20 minutes detention time at peak flow

Dechlorination process: N/A

Ultraviolet Light: \_\_\_\_\_ seconds contact time at peak flow

Other:

**Section 4. Design Calculations (Instructions Page 68)**

Attach design calculations and plant features for each proposed phase. Example 4 of the instructions includes sample design calculations and plant features.

Attachment: J

**Section 5. Facility Site (Instructions Page 68)**

**A. 100-year floodplain**

Will the proposed facilities be located above the 100-year frequency flood level?

Yes  No

If **no**, describe measures used to protect the facility during a flood event. Include a site map showing the location of the treatment plant within the 100-year frequency flood level. If applicable, provide the size and types of protective structures.

Provide the source(s) used to determine 100-year frequency flood plain.

FEMA 48439C0055K eff. 9/25/2009.

For a new or expansion of a facility, will a wetland or part of a wetland be filled?

Yes  No

If **yes**, has the applicant applied for a US Corps of Engineers 404 Dredge and Fill Permit?

Yes  No

If **yes**, provide the permit number:

If **no**, provide the approximate date you anticipate submitting your application to the Corps:

**B. Wind rose**

Attach a wind rose. Attachment: K

**Section 6. Permit Authorization for Sewage Sludge Disposal (Instructions Page 69)**

**A. Beneficial use authorization**

Are you requesting to include authorization to land apply sewage sludge for beneficial use on property located adjacent to the wastewater treatment facility under the wastewater permit?

Yes  No

If yes, attach the completed Application for Permit for Beneficial Land Use of Sewage Sludge (TCEQ Form No. 10451)

Attachment:

#### B. Sludge processing authorization

Identify the sludge processing, storage or disposal options that will be conducted at the wastewater treatment facility:

- Sludge Composting
- Marketing and Distribution of sludge
- Sludge Surface Disposal or Sludge Monofill

If any of the above sludge options are selected, attach a completed DOMESTIC WASTEWATER PERMIT APPLICATION: SEWAGE SLUDGE TECHNICAL REPORT (TCEQ Form No. 10056).

Attachment:

### Section 7. Sewage Sludge Solids Management Plan (Instructions Page 69)

Attach a solids management plan to the application.

Attachment: L

The sewage sludge solids management plan must contain the following information:

- Treatment units and processes dimensions and capacities
- Solids generated at 100, 75, 50, and 25 percent of design flow
- Mixed liquor suspended solids operating range at design and projected actual flow
- Quantity of solids to be removed and a schedule for solids removal
- Identification and ownership of the ultimate sludge disposal site
- For facultative lagoons, design life calculations, monitoring well locations and depths, and the ultimate disposal method for the sludge from the facultative lagoon

An example of a sewage sludge solids management plan has been included as Example 5 of the instructions.

## DOMESTIC TECHNICAL REPORT WORKSHEET 2.0

### RECEIVING WATERS

The following is required for all TPDES permit applications

#### Section 1. Domestic Drinking Water Supply (Instructions Page 73)

Is there a surface water intake for domestic drinking water supply located within 5 miles downstream from the point or proposed point of discharge?

Yes  No

If yes, provide the following:

Owner of the drinking water supply:

Distance and direction to the intake:

Attach a USGS map that identifies the location of the intake.

Attachment:

#### Section 2. Discharge into Tidally Affected Waters (Instructions Page 73)

Does the facility discharge into tidally affected waters?

Yes  No

If yes, complete the remainder of this section. If no, proceed to Section 3.

##### A. Receiving water outfall

Width of the receiving water at the outfall, in feet:

##### B. Oyster waters

Are there oyster waters in the vicinity of the discharge?

Yes  No

If yes, provide the distance and direction from outfall(s).

C. Sea grasses

Are there any sea grasses within the vicinity of the point of discharge?

Yes  No

If yes, provide the distance and direction from the outfall(s).

[Empty rectangular box for providing distance and direction]

**Section 3. Classified Segments (Instructions Page 73)**

Is the discharge directly into (or within 300 feet of) a classified segment?

Yes  No

If yes, this Worksheet is complete.

If no, complete Sections 4 and 5 of this Worksheet.

**Section 4. Description of Immediate Receiving Waters (Instructions Page 75)**

Name of the immediate receiving waters: Unnamed tributary

A. Receiving water type

Identify the appropriate description of the receiving waters.

- Stream
- Freshwater Swamp or Marsh
- Lake or Pond

Surface area, in acres:

Average depth of the entire water body, in feet:

Average depth of water body within a 500-foot radius of discharge point, in feet:

- Man-made Channel or Ditch

- Open Bay
- Tidal Stream, Bayou, or Marsh
- Other, specify:

**B. Flow characteristics**

If a stream, man-made channel or ditch was checked above, provide the following. For existing discharges, check one of the following that best characterizes the area *upstream* of the discharge. For new discharges, characterize the area *downstream* of the discharge (check one).

- Intermittent - dry for at least one week during most years
- Intermittent with Perennial Pools - enduring pools with sufficient habitat to maintain significant aquatic life uses
- Perennial - normally flowing

Check the method used to characterize the area upstream (or downstream for new dischargers).

- USGS flow records
- Historical observation by adjacent landowners
- Personal observation
- Other, specify:

**C. Downstream perennial confluences**

List the names of all perennial streams that join the receiving water within three miles downstream of the discharge point.

None.
-------

**D. Downstream characteristics**

Do the receiving water characteristics change within three miles downstream of the discharge (e.g., natural or man-made dams, ponds, reservoirs, etc.)?

- Yes  No

If yes, discuss how.



**E. Normal dry weather characteristics**

Provide general observations of the water body during normal dry weather conditions.

**No water was in the unnamed tributary at the proposed outfall.**

Date and time of observation: 7/17/2018 @ 11:00 am

Was the water body influenced by stormwater runoff during observations?

Yes  No

**Section 5. General Characteristics of the Waterbody (Instructions Page 74)**

**A. Upstream influences**

Is the immediate receiving water upstream of the discharge or proposed discharge site influenced by any of the following? Check all that apply.

- |   |  |              |
|---|--|--------------|
| <input type="checkbox"/> Oil field activities | <input type="checkbox"/> Urban runoff        | <b>None.</b> |
| <input type="checkbox"/> Upstream discharges  | <input type="checkbox"/> Agricultural runoff |              |
| <input type="checkbox"/> Septic tanks         | <input type="checkbox"/> Other(s), specify   |              |

**B. Waterbody uses**

Observed or evidences of the following uses. Check all that apply. **None.**

- |  |   |
|--|---|
| <input type="checkbox"/> Livestock watering    | <input type="checkbox"/> Contact recreation     |
| <input type="checkbox"/> Irrigation withdrawal | <input type="checkbox"/> Non-contact recreation |
| <input type="checkbox"/> Fishing               | <input type="checkbox"/> Navigation             |

- Domestic water supply
- Industrial water supply
- Park activities
- Other(s), specify

### C. Waterbody aesthetics

Check one of the following that best describes the aesthetics of the receiving water and the surrounding area.

- Wilderness: outstanding natural beauty; usually wooded or unpastured area; water clarity exceptional
- Natural Area: trees and/or native vegetation; some development evident (from fields, pastures, dwellings); water clarity discolored
- Common Setting: not offensive; developed but uncluttered; water may be colored or turbid
- Offensive: stream does not enhance aesthetics; cluttered; highly developed; dumping areas; water discolored

**SIGMAPRO PROPERTIES, LLC  
WASTEWATER TREATMENT FACILITY  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR PERMIT RENEWAL**

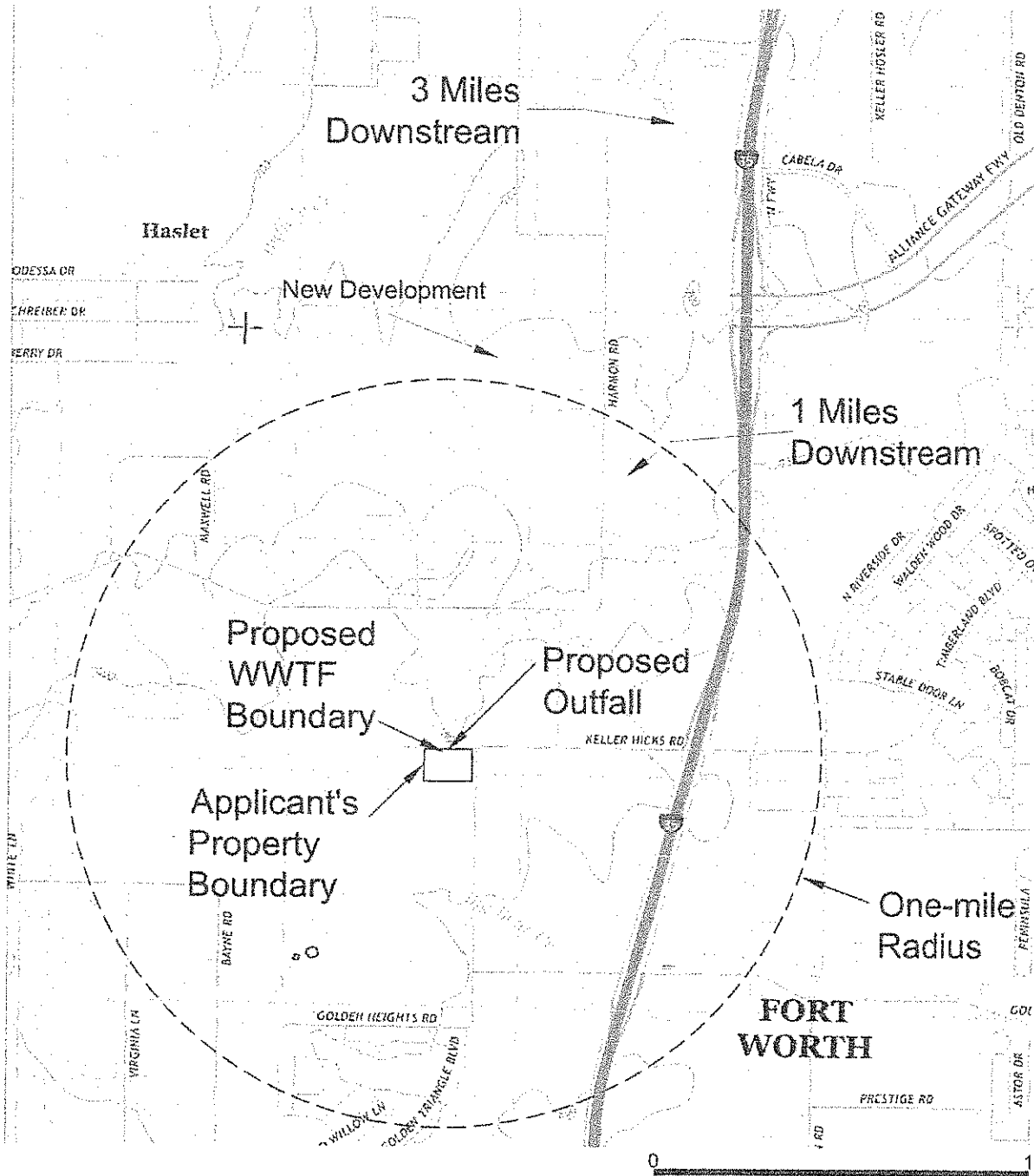
**ATTACHMENT**

**REFERENCE**

<ul style="list-style-type: none"> <li>A. Core Data Form</li> <li>B. USGS Map</li> <li>C. Affected Landowner Information</li> <li>D. Original Photographs</li> <li>E. Buffer Zone Map and Nuisance Odor Control Plan</li> <li>F. Process Flow Diagram</li> <li>G. Site Drawing</li> <li>H. Justification for Permit</li> <li>I. Nearby Collection System Area Map</li> <li>J. Design Calculation and Plant Features</li> <li>K. Windrose</li> <li>L. Sewage Sludge Solids Management Plan</li> </ul>	<ul style="list-style-type: none"> <li>Admin Report 1.0, Section 3.C</li> <li>Admin Report 1.0, Section 13</li> <li>Admin Report 1.1, Section 1</li> <li>Admin Report 1.1, Section 2</li> <li>Admin Report 1.1, Section 3</li> <li>Tech Report 1.0, Section 2.C</li> <li>Tech Report 1.0, Section 3</li> <li>Tech Report 1.1, Section 1.A</li> <li>Tech Report 1.1, Section 1.B</li> <li>Tech Report 1.1, Section 4</li> <li>Tech Report 1.1, Section 5.B</li> <li>Tech Report 1.1, Section 7</li> </ul>
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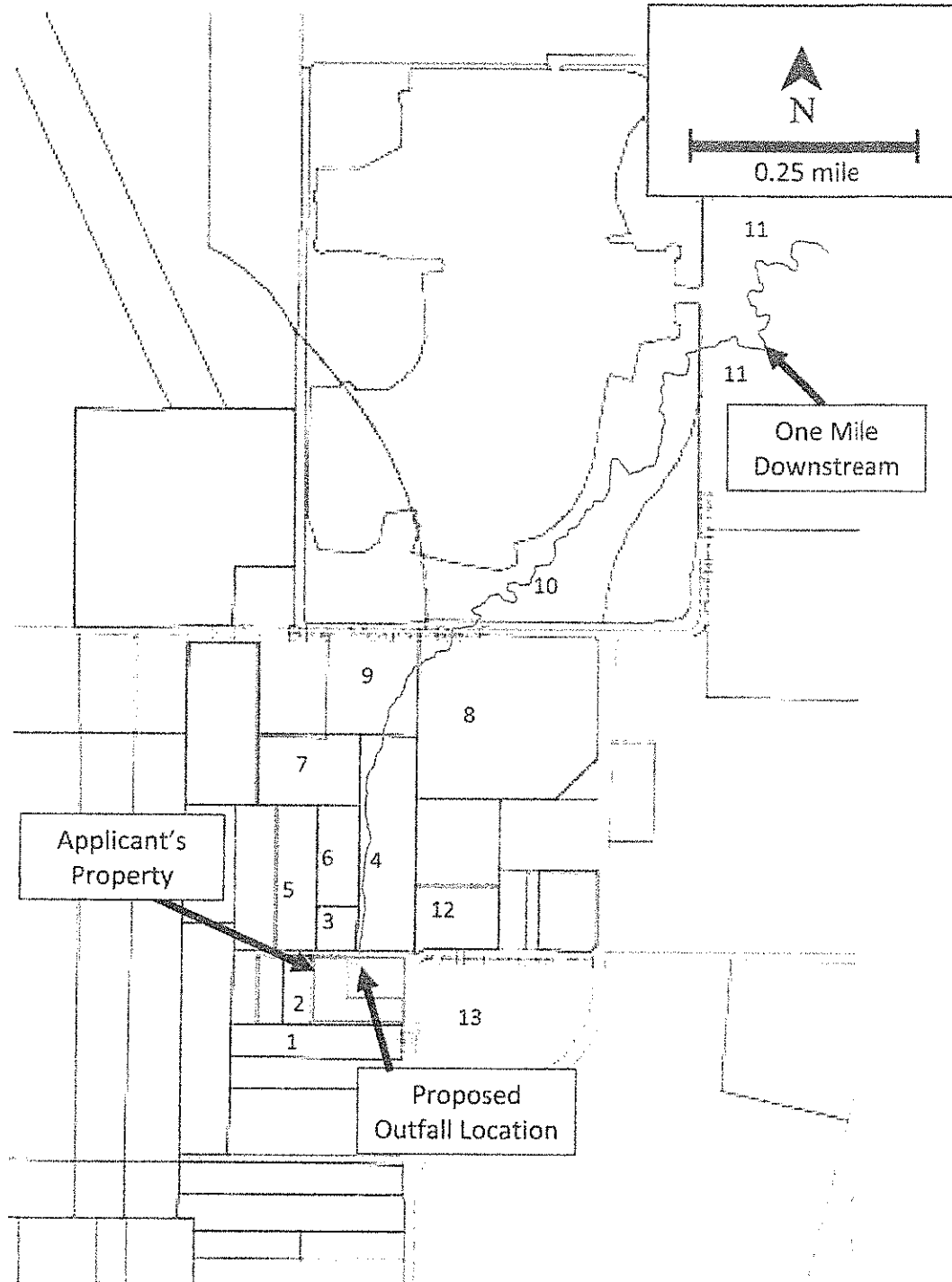
**Attachment A**  
**Core Data Form**  
**Admin Report 1.0, Section 3.C**

**Attachment B**  
**USGS Map**  
**Admin Report 1.0, Section 13**



ATTACHMENT B  
 SIGMAPRO PROPERTIES, LLC  
 WASTEWATER TREATMENT FACILITY  
 TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT APPLICATION  
 USGS MAP

RECEIVED  
 AUG 30 2018  
 QUALITY DIVISION  
 Applications Team



**ATTACHMENT C  
SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT  
LANDOWNER MAP**

WQ0015722001

ATTACHMENT C

SIGMAPRO ENGINEERING & MANUFACTURING, INC.  
 TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
 APPLICATION FOR NEW PERMIT

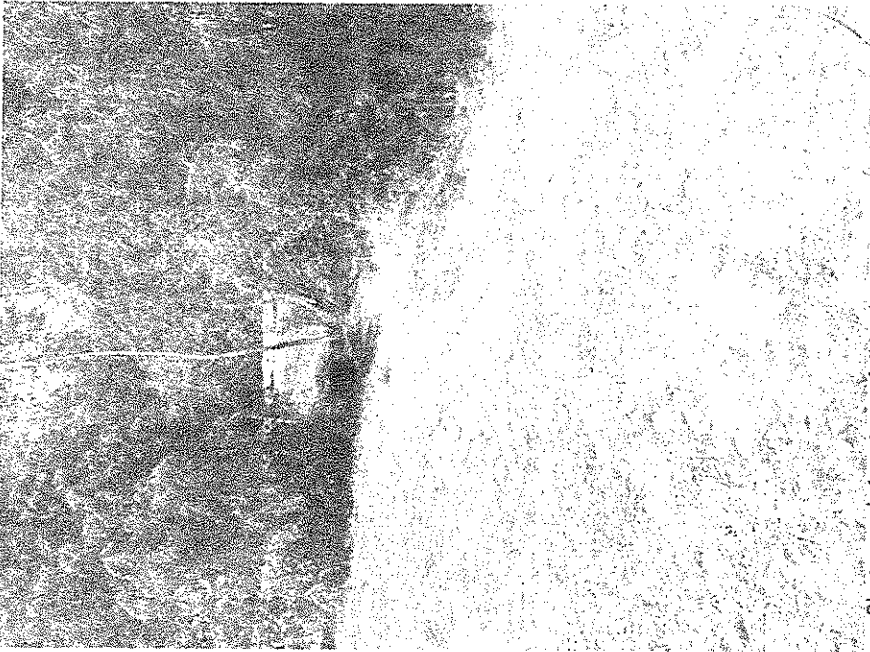
AFFECTED LANDOWNER INFORMATION

- |   |   |
|---|---|
| <p>1 FERGUSON ENTERPRISES INC<br/>                     12500 JEFFERSON AVE<br/>                     NEWPORT NEWS VA, 23602-4314</p> | <p>8 HARMON ROAD LP<br/>                     1665 HARMON RD<br/>                     FORT WORTH TX, 76177-6522</p>  |
| <p>2 COMLINK WIRELESS<br/>                     776 WINDEMERE WAY<br/>                     KELLER TX, 76248</p>                      | <p>9 TUCKER JAMES R<br/>                     TUCKER MEGHAN<br/>                     1004 BLUE MOUND RD E<br/>                     HASLET TX, 76052-4058</p> |
| <p>3 MUSH INC<br/>                     1805 LACY DR<br/>                     FORT WORTH TX, 76177-6507</p>                          | <p>10 CARAWAY HOMEOWNERS ASSOCIATION INC<br/>                     101 CLARIDEN RANCH RD<br/>                     SOUTHLAKE TX, 76092</p>                    |
| <p>4 CLOSNER EQUIPMENT CO INC<br/>                     PO BOX 917<br/>                     SCHERTZ TX, 78154-0917</p>               | <p>11 RHETT REALTY INVESTORS ETAL<br/>                     3930 GLADE RD STE 108<br/>                     COLLEYVILLE TX, 76034-7923</p>                    |
| <p>5 CUDD PRESSURE CONTROL INC<br/>                     8032 MAIN ST<br/>                     HOUMA LA, 70360-4428</p>              | <p>12 CONNER INDUSTRIES INC<br/>                     3800 SANDSHELL DR STE 235<br/>                     FORT WORTH TX, 76137-2429</p>                       |
| <p>6 BMAX PROPERTIES LLC<br/>                     149 SCENIC RIDGE DR<br/>                     WEATHERFORD TX, 76087-1522</p>       | <p>13 TCRG OPPORTUNITY IX LLC<br/>                     5201 CAMP BOWIE BLVD STE 200<br/>                     FORT WORTH TX, 76107</p>                       |
| <p>7 V P DEVELOPMENT CORP<br/>                     2196 JOYCE CT<br/>                     EULESS TX, 76039-4252</p>                 |   |



**Attachment C**  
**Affected Landowner Information**  
**Tech Report 1.1, Section 1**

**Attachment D**  
**Original Photographs**  
**Admin Report 1.1, Section 2**



Photograph 1. - At outfall looking west, upstream.



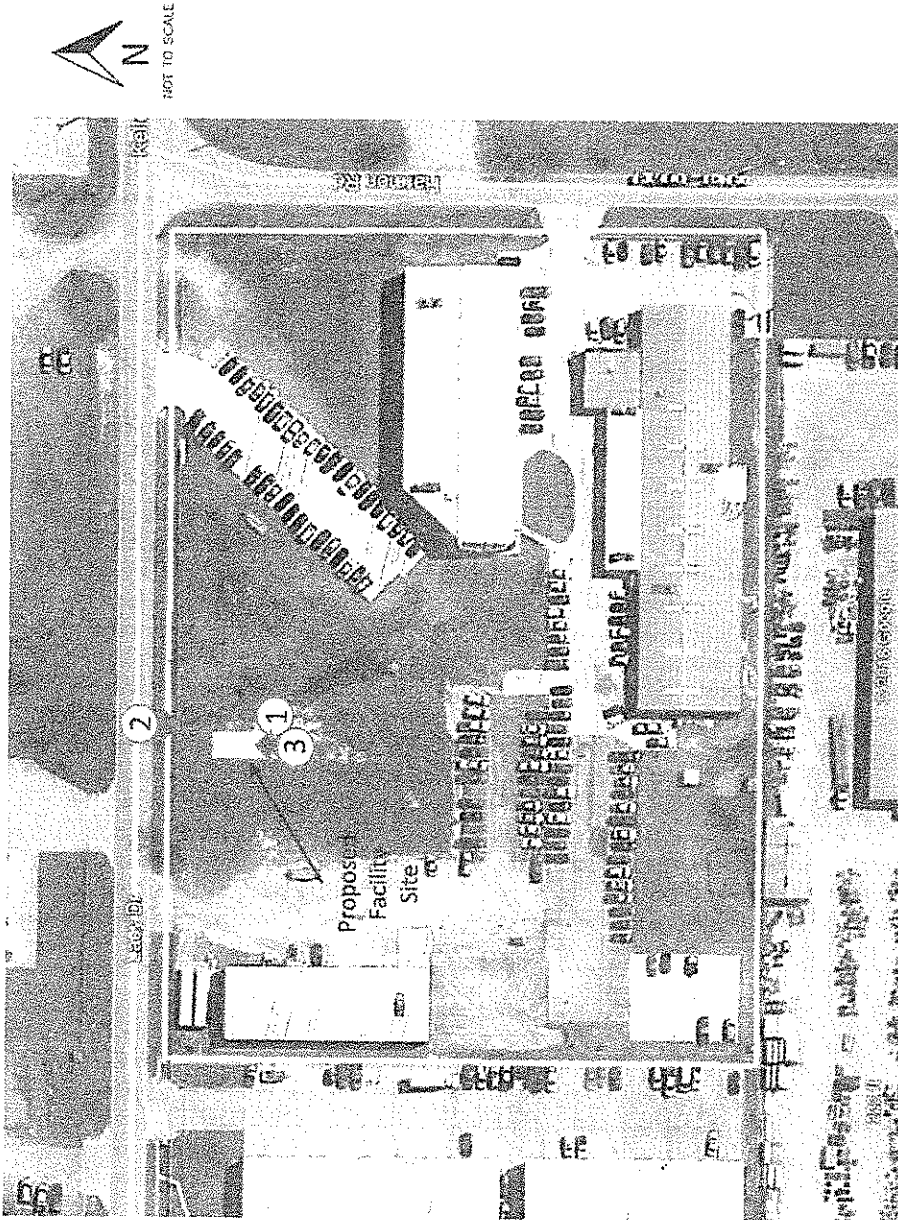
Photograph 1. - At outfall looking west, upstream.

**ATTACHMENT D.1**  
**SIGMAPRO PROPERTIES, LLC**  
**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**  
**APPLICATION FOR NEW PERMIT**  
**PHOTOGRAPHS**



Photograph 3. – Proposed site of facility.

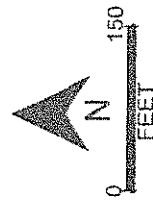
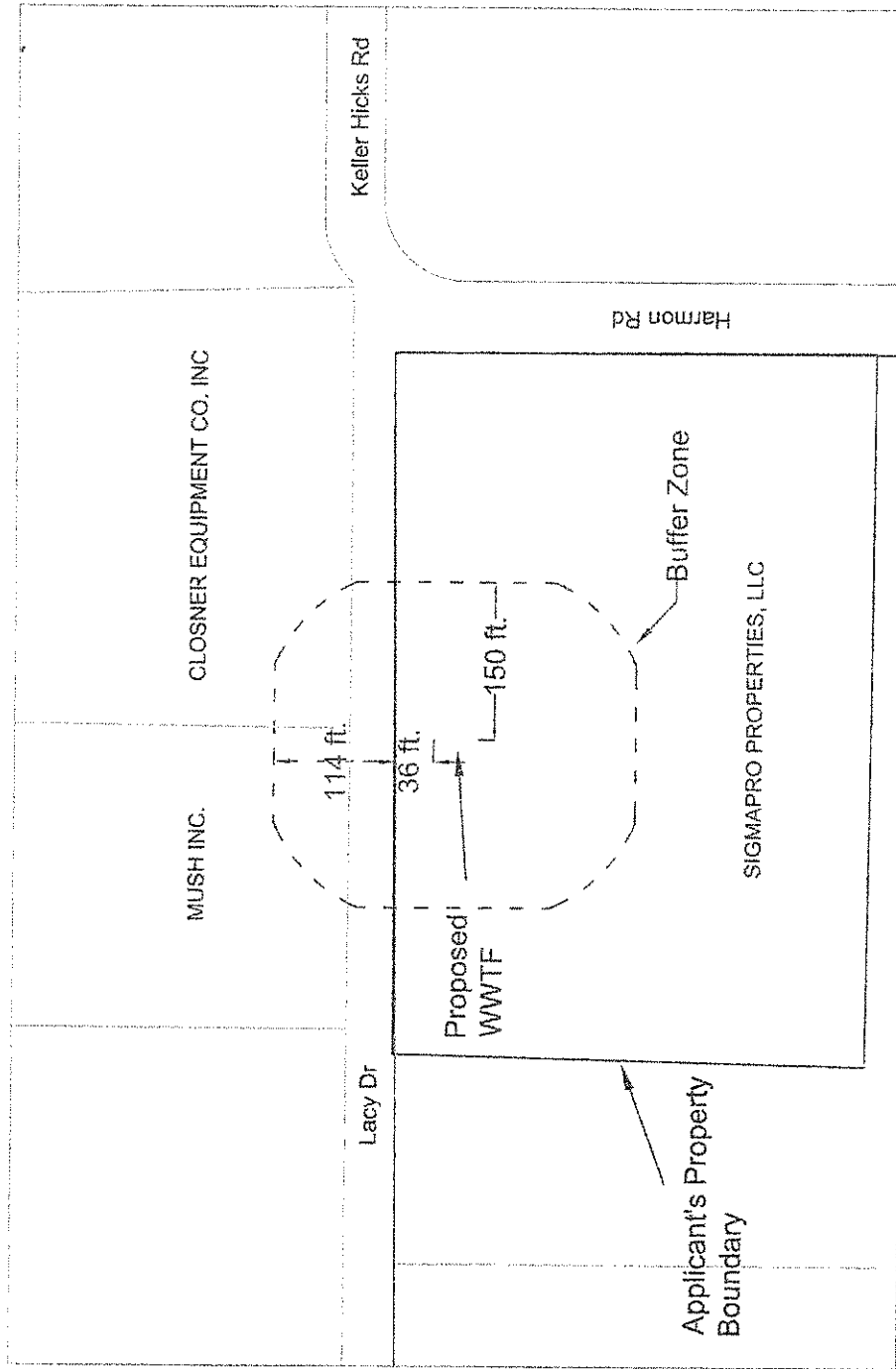
**ATTACHMENT D.2  
SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT  
PHOTOGRAPHS**



2 Photograph Location

**ATTACHMENT D.3**  
**SIGMAPRO PROPERTIES, LLC**  
**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**  
**APPLICATION FOR NEW PERMIT**  
**PHOTOGRAPH LOCATION MAP**

**Attachment E  
Buffer Zone Map  
And  
Nuisance Odor Prevention Plan  
Admin Report 1.1, Section 3**



ATTACHMENT E  
 SIGMAPRO PROPERTIES, LLC  
 WASTEWATER TREATMENT FACILITY  
 TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
 BUFFER ZONE MAP



SIGNATURE OF REGISTERED PROFESSIONAL ENGINEER  
REGISTERED UNDER THE ENGINEERING ACT

## NUISANCE ODOR PREVENTION PLAN

APPROVED IN ACCORDANCE WITH THE AIR QUALITY ACT

JULY 25, 2018



A handwritten signature in black ink, appearing to read "Mark A. Perkins".

July 25, 2018



PERKINS  
ENGINEERING  
CONSULTANTS, INC.

TBPE FIRM REGISTRATION NO. F-8599



SIGMAPRO PROPERTIES  
WASTEWATER TREATMENT PLANT

## NUISANCE ODOR PREVENTION PLAN

The SigmaPro Properties Wastewater Treatment Plant (WWTP) provides service to employees of the businesses leasing the buildings owned by SigmaPro Properties. The facility address is 13241 Harmon Road, Fort Worth, Texas, in Tarrant County. The SigmaPro Properties is approximately 20 miles north of the downtown area of the City of Fort Worth, Texas.

The proposed facility will be a package plant with an extended aeration basin, clarifier, and chlorine contact basin. Upon issuance of the discharge permit by the TCEQ, effluent will flow by gravity through a pipe into an unnamed tributary; thence to Buffalo Creek; thence to Henrietta Creek; thence to Denton Creek; thence to Grapevine Lake in Segment 0826 of the Trinity River Basin.

The WWTP is located in the north central area of the applicant's property. The service area, property boundary, the proposed location of the proposed wastewater treatment plant, and the 150' buffer zone are presented on the Treatment Facility Map (See Attachment A).

With the exception of the property north of the SigmaPro Properties, the applicant owns all the land within 150 feet from the treatment units in all directions. The north side of the treatment facility (the boundary shared with the neighbors within the 150' buffer zone) are non-residential, businesses. The leased buildings of the SigmaPro Properties are located to the south and west of the wastewater treatment plant.

The 12-month average wind rose for Dallas/Fort Worth, Texas is provided as Attachment B. As is indicated by the wind rose, prevailing winds are from the south in this area.

The treatment facility has several characteristics that will aid in minimizing nuisance odor generation. The characteristics are as follows:

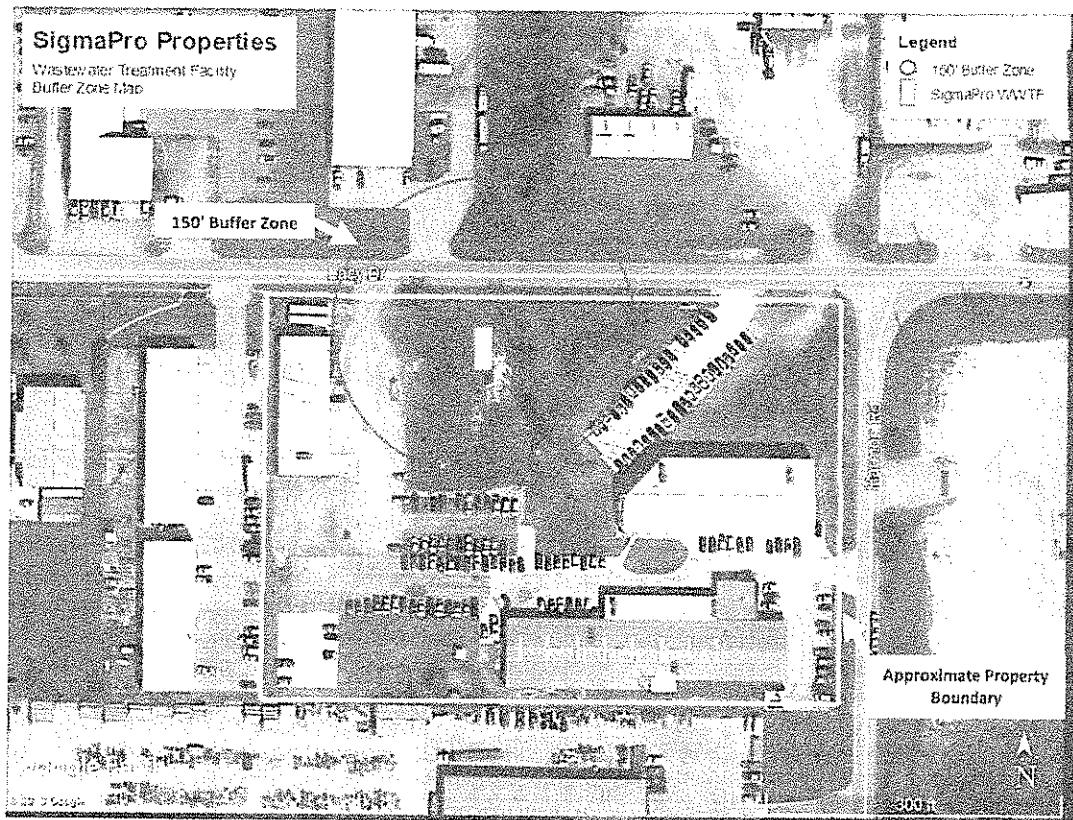
- The collection system is short, resulting in short travel times and minimal septicity for wastewater entering the plant.
- All wastewater is sanitary from bathrooms and breakrooms. Hydrogen sulfide thus is unlikely to form at high levels in this wastewater stream.
- The plant is an entirely aerobic facility. Aerobic biological treatment does not tend to generate offensive odors during normal operations.
- Sludge is held for hauling in a fully-aerated holding tank; no sludge processing or disposal occurs on site. The plant has no zones of anaerobic activity.

No improvements for nuisance odor abatement are expected to be needed at present. If nuisance odor complaints are received in the future, or if development is proposed on the property falling within the 150-foot radius of the facility, it is proposed that odor abatement improvements be considered. Covering of the plant for vapor-phase treatment would not be preferred, due to corrosion and personnel safety concerns. If additional odor abatement features become needed, the treatment facility could consider



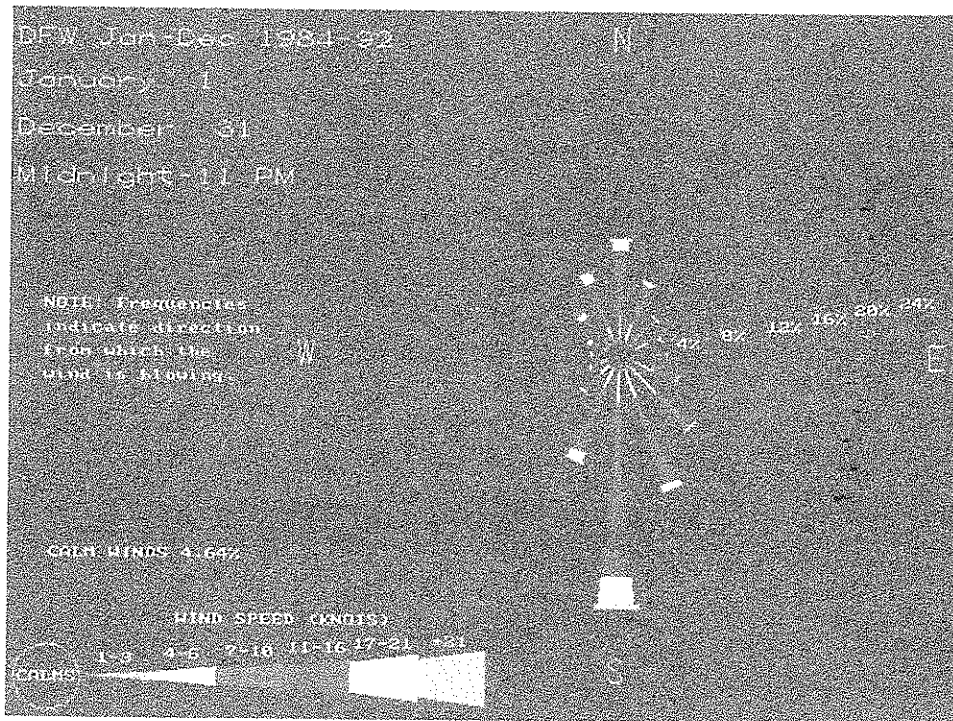
SIGMAPRO PROPERTIES  
WASTEWATER TREATMENT PLANT

feeding an odor control chemical. Hydrogen peroxide, nitrate salts, and/or magnesium hydroxide could be dosed at the plant influent to further minimize formation and release of hydrogen sulfide. A packaged tank and dosing system can be provided by the chemical supplier, if such improvements become necessary.



ATTACHMENT A  
TREATMENT FACILITY MAP

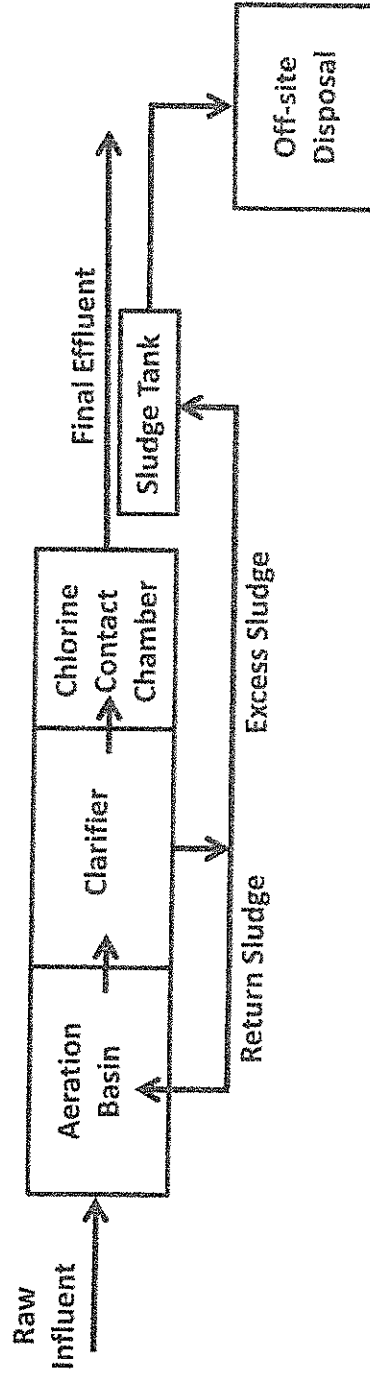
SIGMAPRO PROPERTIES  
WASTEWATER TREATMENT PLANT



ATTACHMENT B  
12-MONTH WIND ROSE FOR DALLAS/FORT WORTH, TEXAS

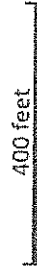
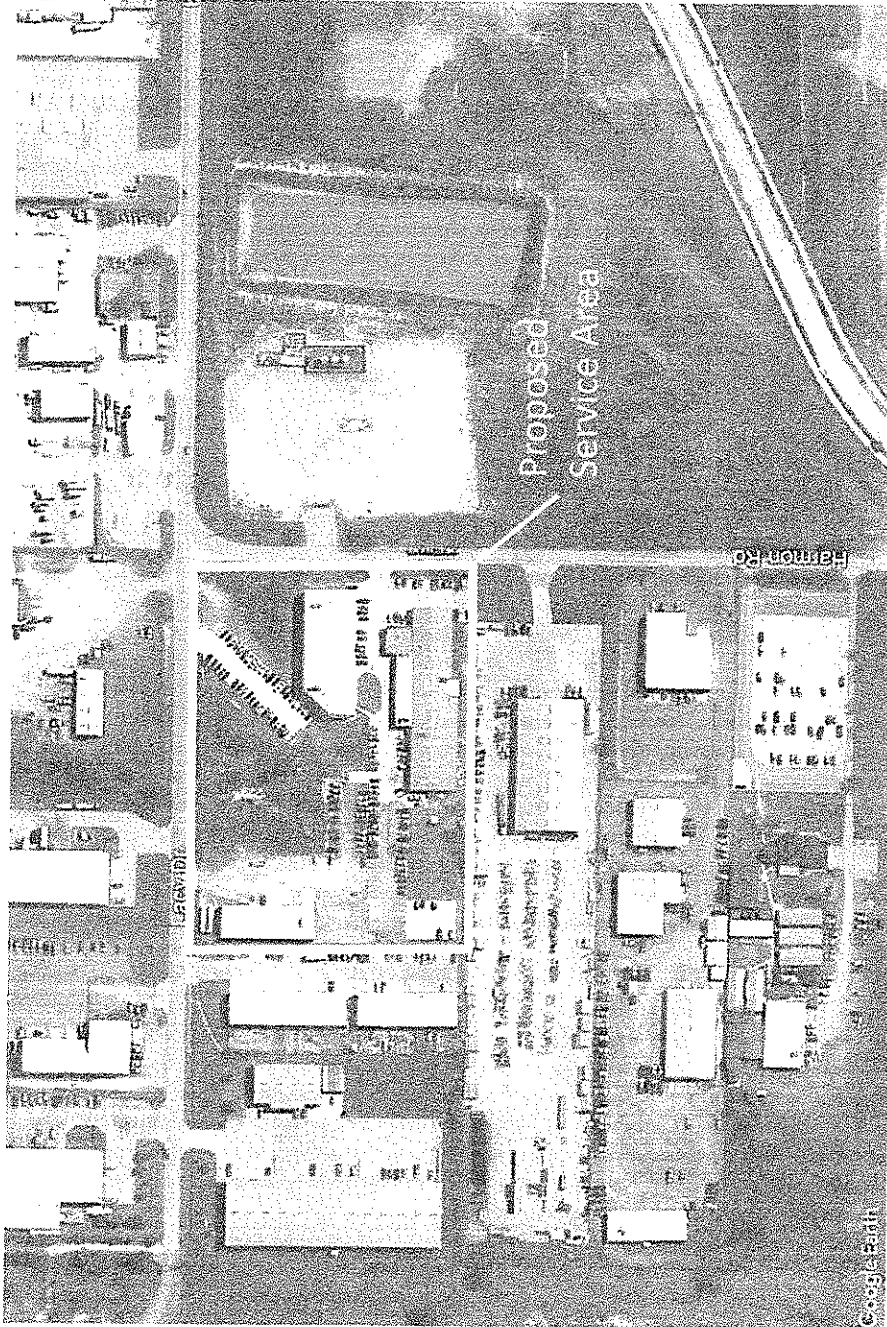
**Attachment F**  
**Process Flow Diagram**  
**Tech Report 1.0, Section 2.C**

ACTIVATED SLUDGE – EXTENDED AERATION PROCESS



ATTACHMENT F  
SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT  
PROCESS FLOW DIAGRAM

**Attachment G**  
**Site Drawing**  
**Tech Report 1.0, Section 3**



**ATTACHMENT G**  
**SIGMAPRO PROPERTIES, INC.**  
**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**  
**APPLICATION FOR NEW PERMIT**  
**SITE DRAWING**

**Attachment H**  
**Justification**  
**Tech Report 1.1, Section 1.A**



**ATTACHMENT H**  
**SIGMAPRO PROPERTIES, LLC**  
**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**  
**APPLICATION FOR NEW PERMIT**  
**JUSTIFICATION FOR PERMIT**

SigmaPro Properties, LLC (SigmaPro) is located at 13241 Harmon Road, Fort Worth, Texas in Tarrant County. The property is outside the city limits and within the extra-territorial jurisdiction of the City of Fort Worth, approximately 15 miles from the downtown area.

The current buildings on the SigmaPro property are sufficient to provide workspace for 200 employees. Plans have been made to construct new buildings that will provide workspace for an additional 200 employees. Sanitary wastes generated by the employees are from the use of bathrooms and breakrooms. These wastes are currently disposed of in septic tanks that are permitted through the Tarrant County Public Health Department. The increase in wastewater from the additional employees at the site will exceed the treatment system capacity of the septic tanks. Land for additional septic tanks will not be available.

SigmaPro proposes to replace the septic tank systems with a wastewater treatment facility that will discharge to an unnamed tributary. The proposed wastewater treatment facility will treat a monthly average flow of 9,500 gallons per day and a peak flow of 23,700 gallons per day.

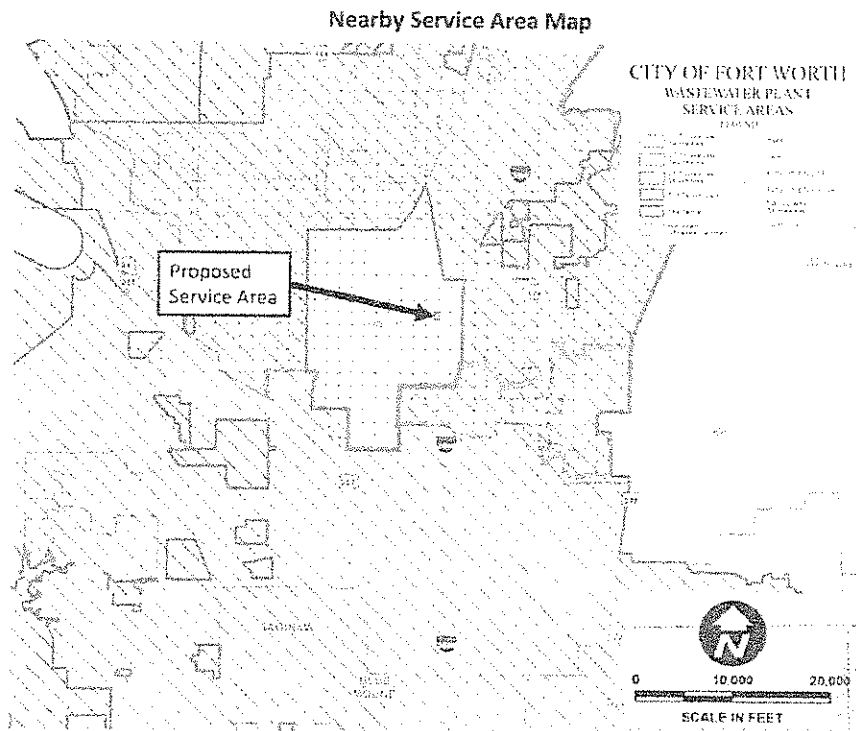
Alternatives to the new wastewater treatment facility were evaluated. Nearby communities with collection systems that are serviced by regional facilities were contacted. None of the communities or the regional providers had plans to extend their system to the SigmaPro property in the near future. In consideration of the costs and schedule for SigmaPro to obtain the necessary easements and construct a pipeline to connect to the nearby collection systems, the alternatives were determined not to be viable.

**Attachment I**  
**Nearby Collection System Area Map**  
**Tech Report 1.1, Section 1.B**

SPE 18-001

**ATTACHMENT I**  
**SIGMAPRO PROPERTIES, LLC**  
**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**  
**APPLICATION FOR NEW PERMIT**  
**NEARBY COLLECTION SYSTEMS**

SigmaPro Properties, LLC (SigmaPro) is located at 13241 Harmon Road, Fort Worth, Texas in Tarrant County. The locations of the proposed service area for the SigmaPro and the nearby collection system are presents on the map below.



One wastewater collection system is within three miles of the proposed treatment facility. The system services the City of Haslet (City). The City's wastewater is transferred to the Denton Creek Regional Wastewater System (DCRWS), which is owned and operated by the Trinity River Authority of Texas (Authority) in accordance with Texas Pollutant Discharge Elimination System permit No. WQ0013457001. The City and Authority were contacted. It was verified that neither the City or the Authority is willing to expand the collection system to accept the SigmaPro flows at DCRWS. The anticipated cost for construction of a line to transfer the wastewater generated at the SigmaPro to the City's collection system is greater than the cost of the proposed treatment system. Therefore, connecting to the City's collection system is not a viable option at this time.

**From:** Robert Berman  
**To:** Janet Sims  
**Subject:** FW: Sewer service to my location in Fort Worth ETJ.  
**Date:** Monday, August 20, 2018 10:21:30 AM  
**Attachments:** image001.png

---

See below email from City of Haslet.

Robert H. Berman



**From:** Travis Attanasio <tattanasio@haslet.org>  
**Sent:** Monday, August 20, 2018 10:20 AM  
**To:** Robert Berman <robert@sigmaproeng.com>  
**Subject:** RE: Sewer service to my location in Fort Worth ETJ.

Mr. Berman,

Pursuant to the agreement between the City of Haslet and the Trinity River Authority (the City's sewer provider) waste water sewer service can only be allowed to properties within the City Limits of Haslet. Since your property is located in the Fort Worth ETJ the City of Haslet cannot provide sewer service.

Please contact me with any further questions.

Thank you,

Travis N. Attanasio, P.E., CFM  
City Engineer  
City of Haslet  
101 Main Street  
Haslet, TX 76052  
(817)439-5931x112

**From:** Robert Berman <robert@sigmaproeng.com>  
**Sent:** Friday, August 17, 2018 11:59 AM  
**To:** Travis Attanasio <tattanasio@haslet.org>  
**Subject:** Sewer service to my location in Fort Worth ETJ.

Travis,

Per our conversation can you please confirm that you are not able to provide service to my location

for waste water. We are located on the South Side of Lacy Road and the West side of Harmon Road in the Fort Worth ETJ.

Thanks for your time.

Robert Berman

Robert H. Berman



13241 Harmon Rd  
Fort Worth, Texas 76177  
817.675.1736 (cell)  
682.888.1239 (office)

**Janet Sims**

---

**To:** John Bennett  
**Subject:** RE: Service Request

Mr. Perkins,

The Authority will not be able to provide service to the facility located at 13241 Harmon Rd., Fort Worth, Texas 76177. The Authority does not contract with individual facilities but we do provide services to the City of Ft. Worth. As such, the City of Ft. Worth would need to provide a Point of Entry on their behalf in order to proceed with the approval process. We do have capacity in our system to accept these flows. However, it would be incumbent upon the contracting parties to build the infrastructure required to deliver these flow to our system. Our closest manhole is in section 25-HC-5 manhole node 240H, located approximately two mile to the north of their facility.

Feel free to contact me if further discussion is required,

John K. Bennett  
Manager, DCRWS  
817-430-4657 office  
817-822-5673 cell

**From:** Mark Perkins [<mailto:mperkins@perkinsconsultants.com>]  
**Sent:** Sunday, August 19, 2018 11:22 PM  
**To:** John Bennett <[BennettJ@trinityra.org](mailto:BennettJ@trinityra.org)>  
**Cc:** Janet Sims <[jsims@perkinsconsultants.com](mailto:jsims@perkinsconsultants.com)>  
**Subject:** FW: Service Request

Hi John –  
Please let me know if you need additional information in order to respond to this.  
Thanks

Mark

**From:** Mark Perkins  
**Sent:** Wednesday, July 11, 2018 8:00 AM  
**To:** 'John Bennett' <[BennettJ@trinityra.org](mailto:BennettJ@trinityra.org)>  
**Cc:** Janet Sims <[jsims@perkinsconsultants.com](mailto:jsims@perkinsconsultants.com)>  
**Subject:** Service Request

John:

As we discussed earlier, we are working to provide expanded domestic wastewater service for a privately-owned manufacturing facility in the Fort Worth ETJ. The facility address is 13241 Harmon Rd., Fort Worth, Texas 76177. The facility's domestic wastewater needs are currently served by on-site aerobic systems. We are tentatively planning for a future average daily flow of 8000 to 10,000 gallons per day.

Can you provide information as to whether the Authority's Denton Creek Regional Wastewater System could provide service to this customer, and (if so) what procedures would be required? Our client has also been in communication with the City of Fort Worth regarding service through the City.

Thanks for your help.

Mark A. Perkins, P.E.  
Perkins Engineering Consultants, Inc.  
6001 Interstate 20 West, Suite 219  
Arlington, Texas 76017  
Main (817) 719-0372 Direct (817) 330-0481 Cell (817) 690-2747

**Attachment J**  
**Design Calculations**  
**Tech Report 1.1, Section 4**



ATTACHMENT J  
SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT

DESIGN CALCULATIONS

Prepared for TCEQ Review by:  
Charlotte G. Smith, Tx. PE 90300,  
Perkins Engineering Consultants, Inc., TPBE Firm No. 8699, August 23, 2018

Final Phase Flows and Loadings

	Units	Total
Average Daily Flow	MGD	0.0095
Peak Two-Hour Flow	MGD	0.0237
Peak Two-Hour Flow	gpm	16.4
CBOD <sub>5</sub> Concentration	mg/L	300
CBOD <sub>5</sub> Loading at Average Flow	lbs/day	24

Aeration Basin

	Total	Units
No. of Basins	1	
Depth at Normal WSE	9.5	ft
Width	10.0	ft
Length	30.5	ft
Volume, Total	2,990	cf
	22,400	gal
Design Maximum Organic Loading	7.9	lbs BODs/day/1,000cf
<b>TCEQ Design Maximum Allowable Organic Loading</b>	<b>15</b>	<b>lbs BODs/day/1,000cf</b>

Secondary Clarifier

	Total	Units
No. of Basins	1	
Depth to Top of Hopper at Normal WSE	4.0	ft
Width	10.0	ft
Length	7.25	ft
Surface Area, Total	72.5	sf
Volume, Total	290	cf
	2,170	gal
Surface Loading Rate at Design Flow	131	gpd/sf
Surface Loading Rate at Peak Flow	327	gpd/sf
<b>TCEQ Maximum Surface Loading Rate at Peak Flow</b>	<b>800</b>	<b>gpd/sf</b>
Detention Time at Design Flow	5.5	hrs
Detention Time at Peak Flow	2.2	hrs
<b>TCEQ Minimum Detention Time at Peak Flow</b>	<b>2.2</b>	<b>hrs</b>
Peak Flow Capacity based on Surface Loading	0.0580	MGD
Peak Flow Capacity based on Detention Time Criteria	0.0237	MGD

ATTACHMENT J  
SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT

DESIGN CALCULATIONS

Chlorine Contact Chamber

	Total	Units
No. of Chlorine Contact Basins	1	
Volume, Total	73	cf
	545	gal
Detention Time at Peak Flow	33.2	min
TCEQ Minimum Detention Time at Peak Flow	20	min

All facilities meet design criteria for design and peak flows.

Facility Design Features

*a. Design Features for Reliability and Operating Flexibility*

The WWTP will have fine bubble diffusers that can be removed from the top of the tank one at a time for cleaning without shutting down the system. Fine bubble disc diffusers deliver high oxygen transfer efficiency and have a high life expectancy with low maintenance. With the small size of this system, temporary pumping and hauling of wastewater can be done for short periods of time if necessary.

*b. Excessive inflow or infiltration*

All treatment units offer approximately 18" freeboard.

The SigmaPro WWTP will only serve the SigmaPro facility. The collection system is short, with all collection system lines not directly under the concrete floor of the facility under pressure, significantly limiting the potential for any inflow or infiltration.

*c. Power Failure*

A quick-disconnect device is planned to enable a generator to be connected quickly if needed. Since the entire plant is expected to run efficiently with approximately 10 horsepower, a small portable generator is expected to be sufficient. A permanently-installed generator is not proposed due to the potential for theft.

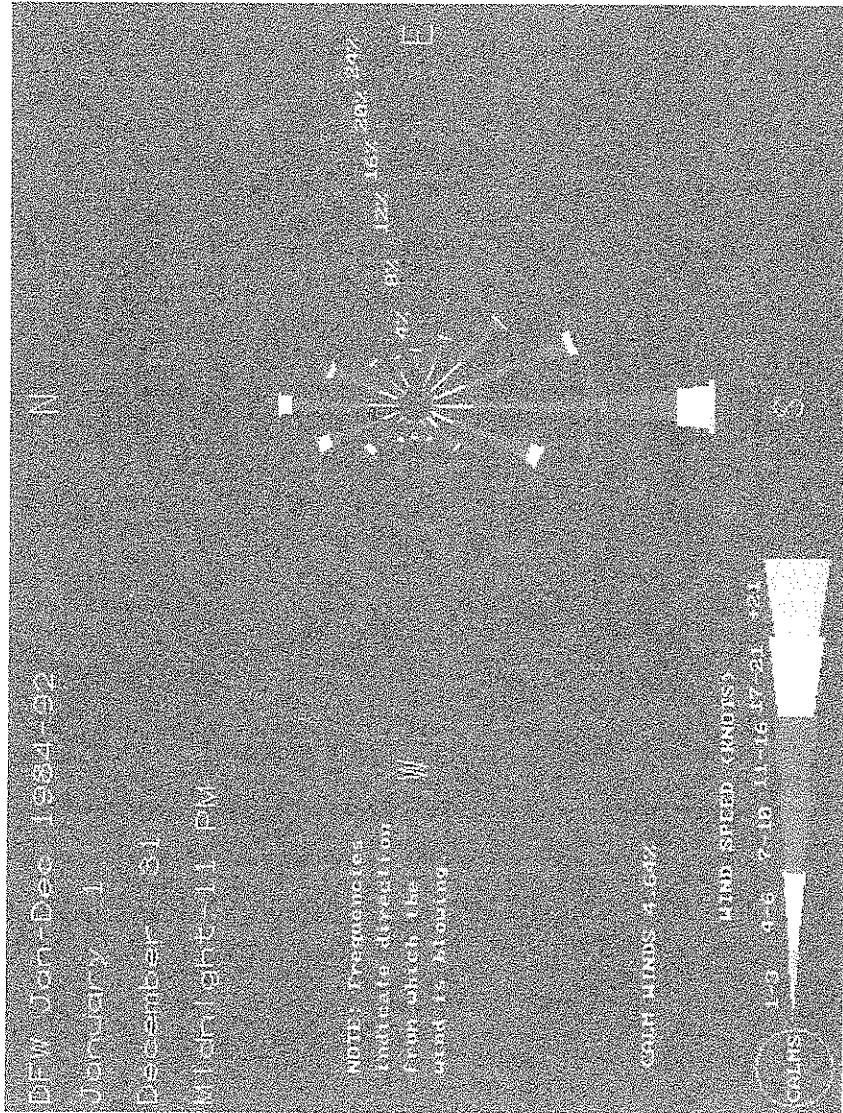
*d. Equipment Malfunction*

Each major piece of mechanical equipment (pumps, blowers, and RAS pumps are being provided in duplicate. One unit should be capable of running the plant with the other out of service.

*e. Facility unit Maintenance & Repair*

All major equipment will be accessible from the working surface above the plant or from ground level beside the plant.

**Attachment K**  
**Wind Rose**  
**Tech Report 1.1, Section 5.B**



ATTACHMENT K  
 SIGMAPRO PROPERTIES, LLC  
 TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
 APPLICATION FOR NEW PERMIT  
 WIND ROSE

**Attachment L**  
**Sewage Sludge Solids Management Plan**  
**Tech Report 1.1, Section 7**

**ATTACHMENT L**

**SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT**

**SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN**

- **TREATMENT UNITS AND PROCESS DIMENSIONS**

See Attachment J and Treatment Units presented in Section 3.B of the Technical Report, (form TCEQ-10054) page 2 of 80.

- **PROJECTED SOLIDS GENERATION:**

The table below shows the amount of solids generated at design flow, and at 75%, 50%, and 25% design flow. The proposed Final Phase Design Flow is 0.0095 MGD.

Percent of Design Flow	Dry Pounds Per Day
25%	3
50%	7
75%	10
100%	13

It is expected that sludge can be thickened by decanting to 2-percent solids in the plant's solids holding tank. Hauling frequency will vary based on flows, wasteloads, and thickening efficiency. Quantities shown above are based on an assumed production of 0.7 dry tons of solids per million gallons treated.

- **MLSS RANGE:**

MLSS in the aeration basin is expected to be in the 2,000 to 5,000 mg/l range.

- **OWNERSHIP OF ULTIMATE SLUDGE DISPOSAL SITE:**

Liquid sludge is transported by registered hauler, Bowman Environmental Enterprises, LLC, Registration No. 23623, to the City of Italy WWTP, WQ0014195001.

**Supplemental Permit Information Form**

**TEXAS COMMISSION ON ENVIRONMENTAL QUALITY  
SUPPLEMENTAL PERMIT INFORMATION FORM (SPIF)**

**FOR AGENCIES REVIEWING DOMESTIC  
TPDES WASTEWATER PERMIT APPLICATIONS**

<b>TCEQ USE ONLY:</b>	
Application type: <input type="checkbox"/> Renewal <input type="checkbox"/> Major Amendment <input type="checkbox"/> Minor Amendment <input checked="" type="checkbox"/> New	
County: <u>Tarrant</u>	Segment Number: <u>0826</u>
Admin Complete Date: <u>10/8/18</u>	
Agency Receiving SPIF:	
<input checked="" type="checkbox"/> Texas Historical Commission	<input checked="" type="checkbox"/> U.S. Fish and Wildlife
<input checked="" type="checkbox"/> Texas Parks and Wildlife Department	<input checked="" type="checkbox"/> U.S. Army Corps of Engineers

**This form applies to TPDES permit applications only.** (Instructions, Page 53)

The SPIF must be completed as a separate document. The TCEQ will mail a copy of the SPIF to each agency as required by the TCEQ agreement with EPA. If any of the items are not completely addressed or further information is needed, you will be contacted to provide the information before the permit is issued. Each item must be completely addressed.

Do not refer to a response of any item in the permit application form. Each attachment must be provided with this form separately from the administrative report of the application. The application will not be declared administratively complete without this form being completed in its entirety including all attachments.

The following applies to all applications:

- I. Permittee: SigmaPro Properties, LLC

Permit No. WQ00

EPA ID No. TX

Address of the project (or a location description that includes street/highway, city/vicinity, and county):

<b>13241 Harmon Road, Fort Worth in Tarrant County Texas</b>
--

Provide the name, address, phone and fax number of an individual that can be contacted to answer specific questions about the property.



First and Last Name: Robert Berman

Credential:

Organization Name: SigmaPro

Title/Prefix: Project Manager

Mailing Address: 13241 Harmon Rd.

City: Fort Worth

State: Texas

ZIP Code: 76177

Phone No.: (682) 888-1239

Ext.:

Fax No.:

E-mail Address: robert@sigmaproeng.com

- 2. List the county in which the facility is located: Tarrant
- 3. If the property is publicly owned and the owner is different than the permittee/applicant, please list the owner of the property.

The property is not publicly owned. The owner is the same as the applicant.

- 4. Provide a description of the effluent discharge route. The discharge route must follow the flow of effluent from the point of discharge to the nearest major watercourse (from the point of discharge to a classified segment as defined in 30 TAC Chapter 307). If known, please identify the classified segment number.

The discharge is to an unnamed tributary; thence to Buffalo Creek; thence to Henrietta Creek; thence to Denton Creek; thence to Grapevine Lake in Segment 0826 of the Trinity River Basin.

- 5. Please provide a separate 7.5-minute USGS quadrangle map with the project boundaries plotted and a general location map showing the project area. Please highlight the discharge route from the point of discharge for a distance of one mile downstream. (This map is required in addition to the map in the administrative report). See SPIF-1 and SPIF-2.

Provide original photographs of any structures 50 years or older on the property. N/A

Does your project involve any of the following? Check all that apply.

- Proposed access roads, utility lines, construction easements
- Visual effects that could damage or detract from a historic property's integrity
- Vibration effects during construction or as a result of project design
- Additional phases of development that are planned for the future
- Sealing caves, fractures, sinkholes, other karst features
- Disturbance of vegetation or wetlands

- 6. List proposed construction impact (surface acres to be impacted, depth of excavation, sealing of caves, or other karst features):

Construction of proposed wastewater treatment facility will impact less than 0.25 acres of surface.

7. Describe existing disturbances, vegetation, and land use:

The location of the proposed wastewater treatment facility is a vacant field of mowed grass.

THE FOLLOWING ITEMS APPLY ONLY TO APPLICATIONS FOR NEW TPDES PERMITS AND MAJOR AMENDMENTS TO TPDES PERMITS

8. List construction dates of all buildings and structures on the property:

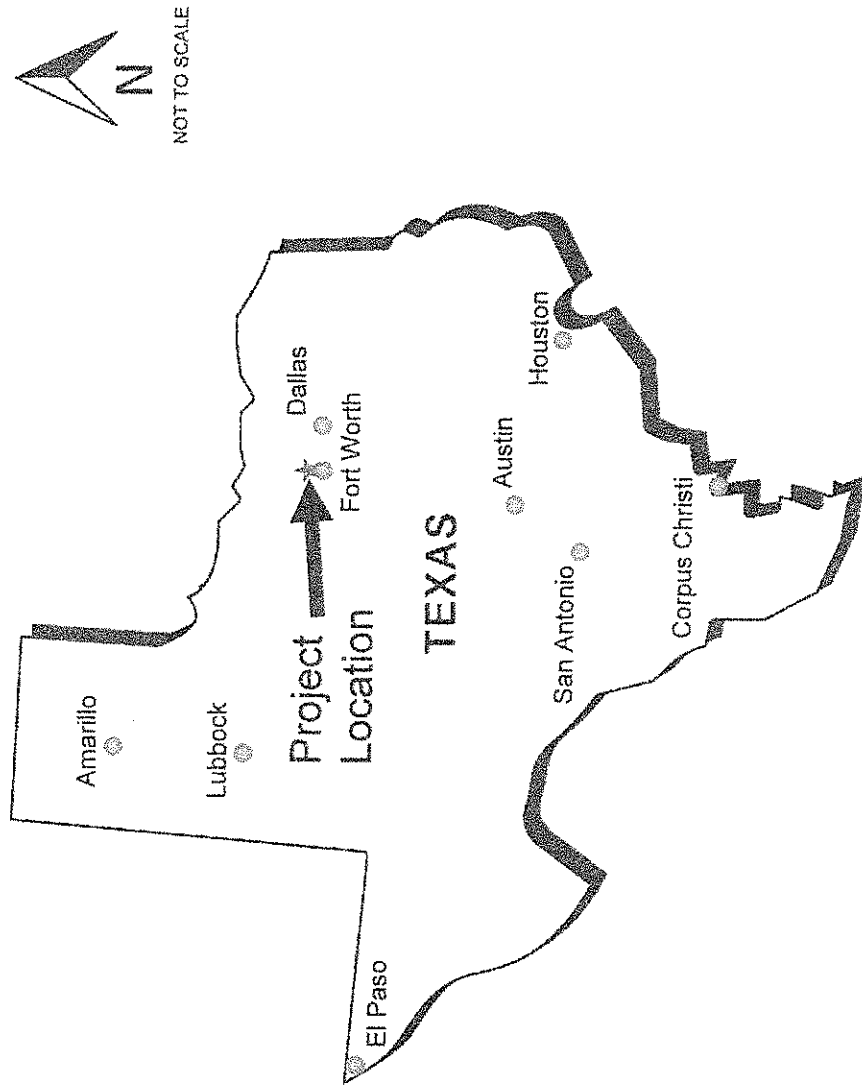
No structure on vacant area.

9. Provide a brief history of the property, and name of the architect/builder, if known.

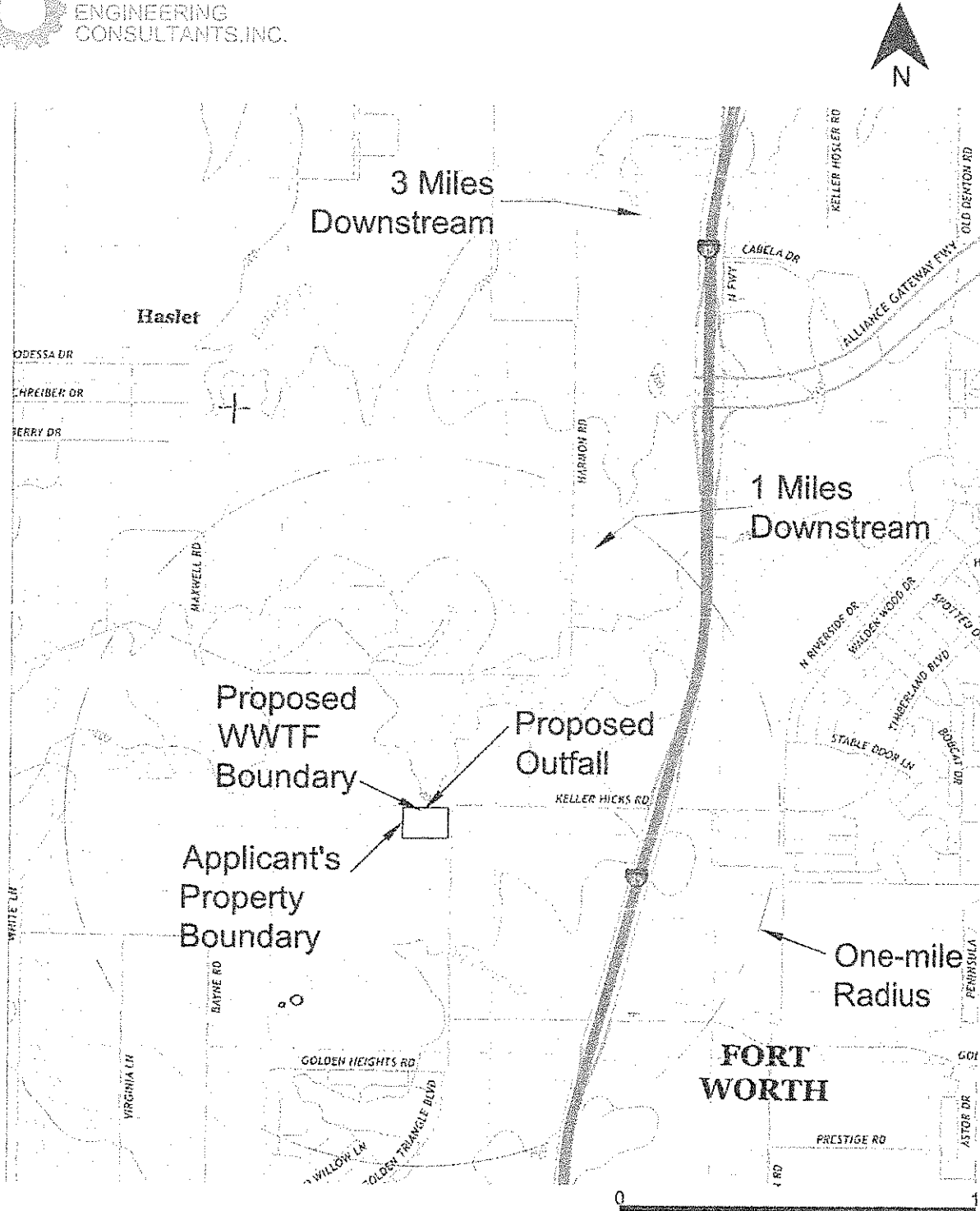
SigmaPro Properties, LLC purchased the property in 2013. Since the purchase, renovations to the buildings, upgrades to the septic system, and construction of new building have been completed. The history of the property prior to its purchase by SigmaPro Properties, LLC is unknown.

**Supplemental Permit Information Form**

- **SPIF-1 General Location Map**
- **SPIF-2 USGS Map**



**SPIF-1**  
**SIGMAPRO PROPERTIES, LLC**  
**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**  
**APPLICATION FOR NEW PERMIT**  
**GENERAL LOCATION MAP**



**SPIF-2  
SIGMAPRO PROPERTIES, LLC  
WASTEWATER TREATMENT FACILITY  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
USGS MAP**



PERKINS  
ENGINEERING  
CONSULTANTS, INC.

13740 N. Highway 183 #16  
Austin, TX 78750  
Office: 512-735-1001  
Fax: 512-735-1002  
www.perkinsconsultants.com

September 28, 2018

Velma Fuller  
Water Quality Division (148)  
Texas Commission on Environmental Quality  
P.O. Box 13087  
Austin, TX 78711-3087

RECEIVED

SEP 28 2018

Water Quality Division  
Application Team

Re: SigmaPro Properties, LLC  
Application for Proposes Permit No. WQ0015722001(EPA I.D. TX1038754)  
CN605566363, RN110487162

Dear Ms. Fuller:

SigmaPro Properties, LLC (SigmaPro) has reviewed your comment letter dated September 13, 2018. Following are the responses to your comments.

1. Item 1.A on page 13 of the Administrative Report 1.1: Enclosed is a revised landowners map. The location of the treatment facility is shown and labeled. (See Enclosure A.)
2. Item 1.C on page 13 of the Administrative Report 1.1: Enclosed are revised landowner labels. The punctuation has been removed. (See Enclosure B.)
3. Technical Review Comments:
  - Domestic Technical Report 1.1, Section 1 – Justification of Permit Need: Correspondence with the City of Fort Worth was not provided in the application. A meeting was recently conducted with the City of Fort Worth Water Utilities staff. A wastewater line approximately 3,100 feet from the SigmaPro site was identified. The schedule for easements to be granted and the length of pipe required to connect to the City's system were discussed. Connection to the City's system has been determined to be prohibitively expensive for the applicant at the present time. Making the connection will involve acquisition of easements from or dedication of easements by other private landowners, which is not under the applicant's control. The cost of extending the sewer line to connect to the City's system has been preliminarily projected by both Sigma Pro and City representatives to range from \$500,000 to \$650,000, not including engineering or the cost of land rights. The cost of installing the proposed small treatment plant is anticipated to be approximately \$100,000, depending on site improvements and other features added. Attachment I has been revised based on this new information. (See Enclosure C.)
  - Domestic Technical Report 1.1, Section 4 – Design Calculations: SigmaPro appreciates your comment regarding the proposed peak flow factor and the dimensions of the clarifier. The variances to the design criteria for the wastewater

treatment facilities will be addressed in the summary transmittal letter and/or plans and specifications.

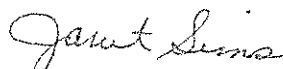
4. The portion of the Notice of Receipt of Application and Intent to Obtain a Water Quality Permit that was provided in your letter has been reviewed. The information is accurate and complete.

Also, enclosed are revisions to Page 9 of the Administrative Report 1.0, Page 13 of the Technical Report, and Attachment L.

- Page 9 of the Administrative Report 1.0 - The latitude for the Outfall location in Item 10.B has been corrected. The correct coordinates for the proposed outfall location are Latitude: 32.94139, Longitude: -97.32389. The location described in the portion of the notice provided in your letter is correct. (See Enclosure D.)
- Page 13 of the Technical Report - The location of the ultimate sludge disposal site has been revised. Liquid sludge will be transported to the City of Maypearl WWTP. (See Enclosure E.)
- Attachment L – The ownership of the ultimate disposal site that is described in the Sewage Sludge Management Plan has been revised. Sludge will be transported to the City of Maypearl WWTP. An agreement from the City of Maypearl WWTP Representative to accept the sludge is enclosed. (See Enclosure F.)

SigmaPro appreciates your assistance with this permit application. If you have questions about the information presented, please contact me at (512) 735-1001.

Sincerely,



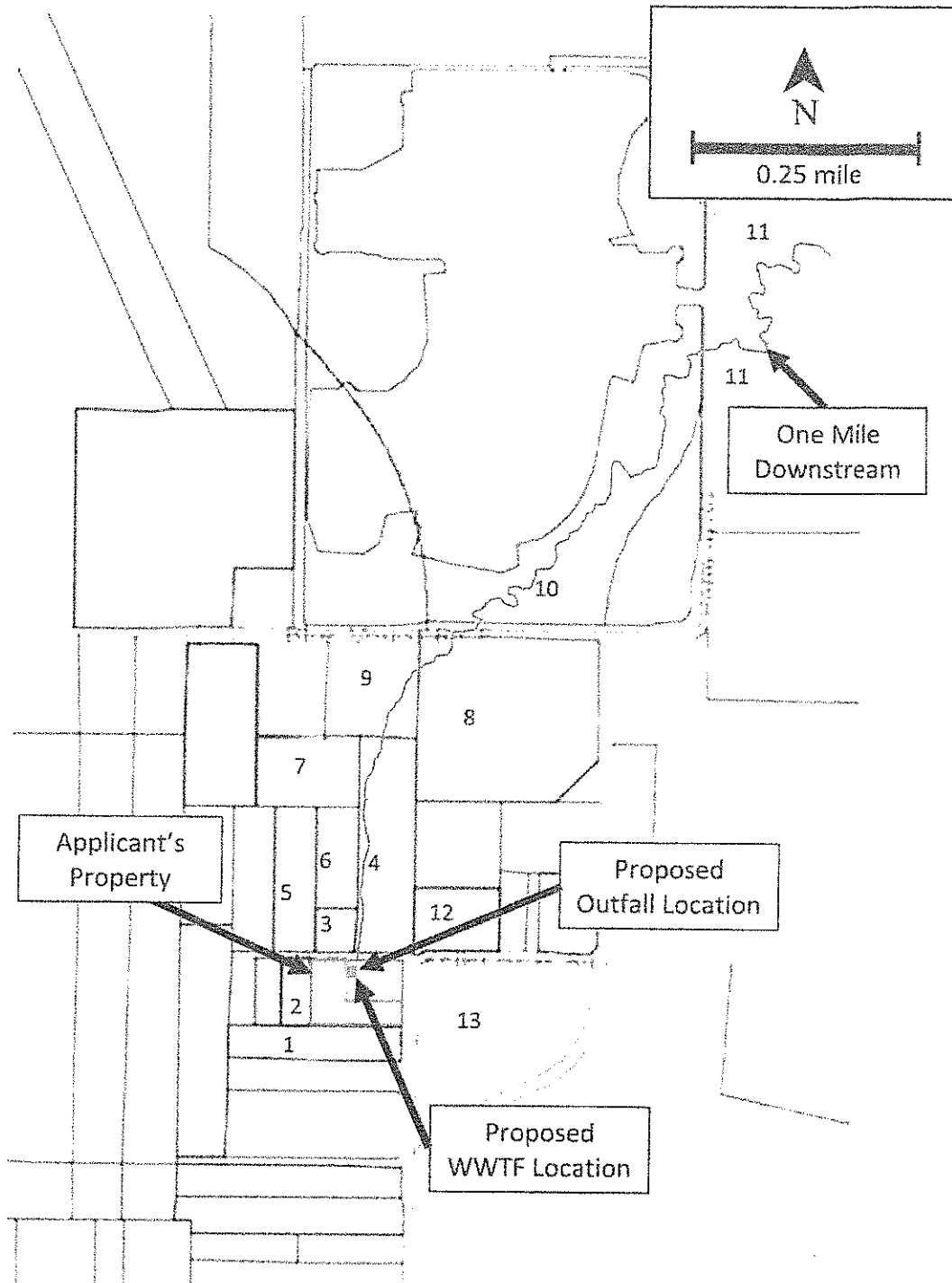
Janet Sims  
Perkins Engineering Consultants, Inc.

Enclosures

Cc: Robert Berman, SigmaPro  
Mark Perkins, PE/CI

**Enclosure A**  
**Revised Landowner Map**





**ATTACHMENT C  
SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT  
LANDOWNER MAP**

**Enclosure B  
Revised  
Landowner Labels**

FERGUSON ENTERPRISES INC  
12500 JEFFERSON AVE  
NEWPORT NEWS VA 23602-4314

HARMON ROAD LP  
1665 HARMON RD  
FORT WORTH TX 76177-6522

COMLINK WIRELESS  
776 WINDEMERE WAY  
KELLER TX 76248

TUCKER JAMES R  
TUCKER MEGHAN  
1004 BLUE MOUND RD E  
HASLET TX 76052-4058

MUSH INC  
1805 LACY DR  
FORT WORTH TX 76177-6507

CARAWAY HOMEOWNERS  
ASSOCIATION INC  
101 CLARIDEN RANCH RD  
SOUTHLAKE TX 76092

CLOSNER EQUIPMENT CO INC  
PO BOX 917  
SCHERTZ TX 78154-0917

RHETT REALTY INVESTORS ETAL  
3930 GLADE RD STE 108  
COLLEYVILLE TX 76034-79231

CUDD PRESSURE CONTROL INC  
8032 MAIN ST  
HOUMA LA 70360-4428

CONNER INDUSTRIES INC  
3800 SANDSHELL DR STE 235  
FORT WORTH TX 76137-2429

BMAX PROPERTIES LLC  
149 SCENIC RIDGE DR  
WEATHERFORD TX 76087-1522

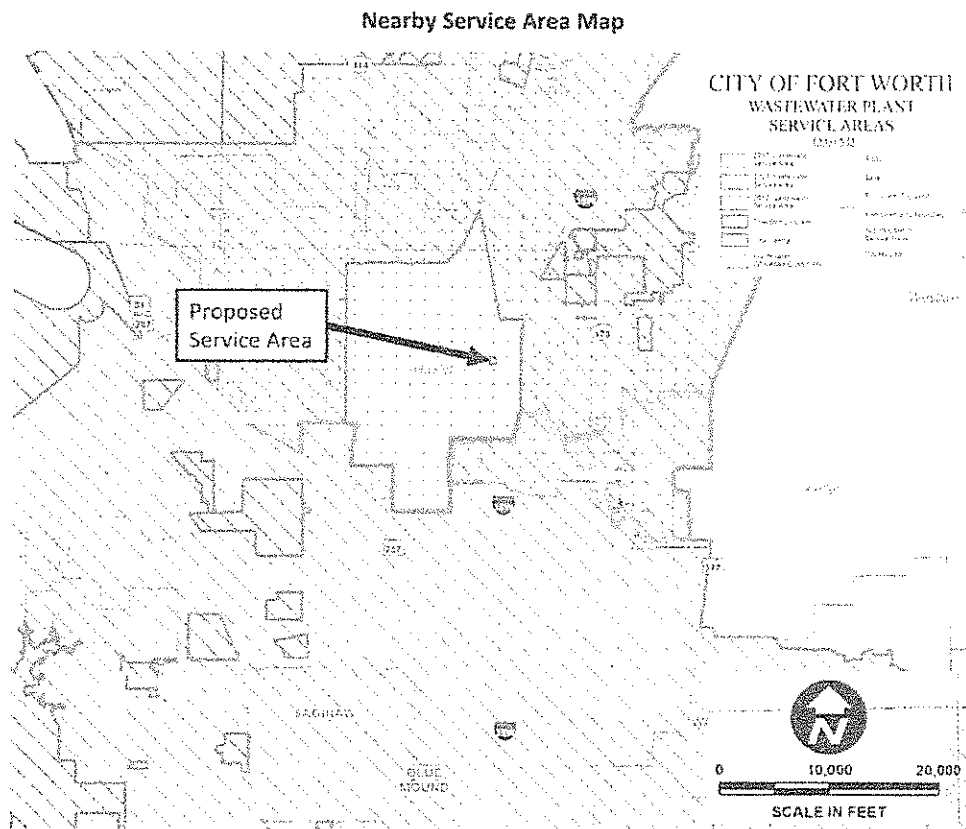
TCRG OPPORTUNITY IX LLC  
5201 CAMP BOWIE BLVD STE 200  
FORT WORTH TX 76107

V P DEVELOPMENT CORP  
2196 JOYCE CT  
EULESS TX 76039-42529

**Enclosure C  
Revised  
Attachment I**

**ATTACHMENT I**  
**SIGMAPRO PROPERTIES, LLC**  
**TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT**  
**APPLICATION FOR NEW PERMIT**  
**NEARBY COLLECTION SYSTEMS**

SigmaPro Properties, LLC (SigmaPro) is located at 13241 Harmon Road, Fort Worth, Texas in Tarrant County. The locations of the proposed service area for the SigmaPro and the nearby collection system are presents on the map below.



Wastewater collection systems within three miles of the proposed treatment facility are for the City of Fort Worth and the City of Haslet. Wastewater in the area is transferred to the Denton Creek Regional Wastewater System (DCRWS), which is owned and operated by the Trinity River Authority of Texas (Authority) in accordance with Texas Pollutant Discharge Elimination System permit No. WQ0013457001.

The representatives with the City of Fort Worth, City of Haslet, and the Authority were contacted. It was verified that neither the City of Haslet or the Authority is willing to extend retail service to the applicant's property at the present time. The schedule for when the collection system operated by the

City of Fort Worth will be extended to the SigmaPro property is uncertain. The nearest collection system line is approximately 3,100 feet. The anticipated cost and schedule to construct a wastewater line and to obtain the easements to the nearest collection system would be prohibitively expensive compared to the cost of installing a small treatment facility. The applicant is receptive to obtaining service from the City of Fort Worth if and when lines are extended to the applicant's property. Therefore, connecting to the nearby collection system is not a viable option at this time.

**Enclosure D**  
**Revised**  
**Page 9 of Administrative Report 1.0**

The proposed wastewater treatment will be located at 13241 Harmon Road, Fort Worth, Texas in Tarrant County.

B. Are the point(s) of discharge and the discharge route(s) in the existing permit correct?

- Yes       No

If no, or a new or amendment permit application, provide an accurate description of the point of discharge and the discharge route to the nearest classified segment as defined in 30 TAC Chapter 307:

The discharge is to an unnamed tributary; thence to Buffalo Creek; thence to Henrietta Creek; thence to Denton Creek; thence to Grapevine Lake in Segment 0826 of the Trinity River Basin.

City nearest the outfall(s): Fort Worth

County in which the outfalls(s) is/are located: Tarrant

Outfall Latitude: 32.94139

Longitude: -97.32389

C. Is or will the treated wastewater discharge to a city, county, or state highway right-of-way, or a flood control district drainage ditch?

- Yes       No

If yes, indicate by a check mark if:

- Authorization granted       Authorization pending

For new and amendment applications, provide copies of letters that show proof of contact and the approval letter upon receipt.

Attachment:

F. For all applications involving an average daily discharge of 5 MGD or more, provide the names of all counties located within 100 statute miles downstream of the point(s) of discharge.

N/A

**Section 11. TLAP Disposal Information (Instructions Page 36)**

A. For TLAPs, is the location of the effluent disposal site in the existing permit accurate?

- Yes       No      N/A

If no, or a new or amendment permit application, provide an accurate description of the



**Enclosure E**  
**Revised**  
**Page 13 of Technical Report**

**A. Sludge disposal method**

Identify the current or anticipated sludge disposal method or methods from the following list. Check all that apply.

- Permitted landfill
- Permitted or Registered land application site for beneficial use
- Land application for beneficial use authorized in the wastewater permit
- Permitted sludge processing facility
- Marketing and distribution as authorized in the wastewater permit
- Composting as authorized in the wastewater permit
- Permitted surface disposal site (sludge monofill)
- Surface disposal site (sludge monofill) authorized in the wastewater permit
- Transported to another permitted wastewater treatment plant or permitted sludge processing facility. If you selected this method, a written statement or contractual agreement from the wastewater treatment plant or permitted sludge processing facility accepting the sludge must be included with this application.

Other:

**Sludge will be transported to the City of Maypearl wastewater treatment plant (TPDES permit No. WQ0010431001). See agreement in Attachment L.**

**B. Sludge disposal site**

Disposal site name:

TCEQ permit or registration number:

County where disposal site is located:

**C. Sludge transportation method**

Method of transportation (truck, train, pipe, other): Truck

Name of the hauler: Bowman Environmental Enterprises LLC

Hauler registration number: 23623

**Enclosure F  
Revised  
Attachment L**

**ATTACHMENT L**

**SIGMAPRO PROPERTIES, LLC  
TEXAS POLLUTANT DISCHARGE ELIMINATION SYSTEM PERMIT  
APPLICATION FOR NEW PERMIT**

**SEWAGE SLUDGE SOLIDS MANAGEMENT PLAN**

- **TREATMENT UNITS AND PROCESS DIMENSIONS**

See Attachment J and Treatment Units presented in Section 3.B of the Technical Report, (form TCEQ-10054) page 2 of 80.

- **PROJECTED SOLIDS GENERATION:**

The table below shows the amount of solids generated at design flow, and at 75%, 50%, and 25% design flow. The proposed Final Phase Design Flow is 0.0095 MGD.

Percent of Design Flow	Dry Pounds Per Day
25%	3
50%	7
75%	10
100%	13

It is expected that sludge can be thickened by decanting to 2-percent solids in the plant's solids holding tank. Hauling frequency will vary based on flows, wasteloads, and thickening efficiency. Quantities shown above are based on an assumed production of 0.7 dry tons of solids per million gallons treated.

- **MLSS RANGE:**

MLSS in the aeration basin is expected to be in the 2,000 to 5,000 mg/l range.

- **OWNERSHIP OF ULTIMATE SLUDGE DISPOSAL SITE:**

Liquid sludge is transported by registered hauler, Bowman Environmental Enterprises, LLC, Registration No. 23623, to the City of Maypearl WWTP, WQ0010431001.



801 S. Files St. Itasca, TX 76055  
(254) 687-2642 FAX (254) 687-2656  
bowmanenv@gmail.com

Bowman Environmental Enterprises, LLC is contracted to pump and dispose of all sludge from SigmaPro Properties LLC, 13241 Harmon Rd., Ft. Worth, TX 76177.

Bowman Environmental Enterprises, LLC has a contract to dispose of sludge/wastewater with the City of Maypearl at their WWTP located at the east end of Martin Luther King Street, approximately 0.5 mile south of the intersection of Farm-to-Market Road 66 and Farm-to-Market Road 157, in Ellis County, Texas 76064

The primary sludge disposal site is City of Maypearl WWTP located at the east end of Martin Luther King Street, approximately 0.5 mile south of the intersection of Farm-to-Market Road 66 and Farm-to-Market Road 157, in Ellis County, Texas 76064

Signature

9-20-18  
Date

Richard S. Deese

Print Name

City of Maypearl WWTP Representative

David Bowman

Owner/Operator

Bowman Environmental Enterprises, LLC

9-20-18  
Date

Account #: 06985513

 Location

**Property Address:** 1817 LACY DR [Interactive Map](#)  
**City:** TARRANT COUNTY  
**Zipcode:** 76052  
**Georeference:** [A 611-1E04](#)  
**Neighborhood Code:** [WH-Alliance/Alliance Gateway General](#)  
**Latitude:** 32.9439110553  
**Longitude:** -97.3232784386  
**TAD Map:** [2054-464](#)  
**MAPSCO:** [TAR-021E](#)

 Property Data

**Legal Description:** GOODWIN, J M SURVEY  
Abstract 611 Tract 1E4 & 1H  
**Jurisdictions:** 220 TARRANT COUNTY  
911 NORTHWEST ISD  
224 TARRANT COUNTY  
HOSPITAL  
225 TARRANT COUNTY  
COLLEGE  
222 EMERGENCY SVCS DIST #1

**Site Number:** [80726690](#)

**Site Name:** J M COX SALES

**Site Class:** WHStorage - Warehouse-Storage  
**# of Parcels:** 1

**State Code:** F1 Commercial

**Primary Building:**  
**Building Name:** WAREHOUSE / 06985513  
**Building Type:** Commercial  
**Year Built:** 1997

**Personal Property Account:** [14519505](#)

**Gross Building Area** †††: 13,300  
**Net Leasable Area** †††: 13,300  
**Land Sqft** \* : 435,600  
**Land Acres** \* : 10.0000

**Agent:** None

**Pool:** N

††† Rounded

\* This represents one of a hierarchy of possible values ranked in the following order: Recorded, Computed, System, Calculated

 **Owner Information**

**Current Owner:**  
 1817 LACEY LTD  
 C/O HASLET PROPERTY MANAGEMENT LLC  
 1755 N CENTRAL EXPW STE 105  
 RICHARDSON, TX 75080

**Deed Date:** 07-13-2005  
**Instrument:** 600008505

**Previous Owners:**

Name	Date	Instrument	Deed Vol	Deed Page
COX & GREER PROPERTIES LTD	03-28-2002	00155690000243	0015569	0000243
COX & GREER PROPERTY MGMT LLC	09-25-2001	00151640000153	0015164	0000153
SDS PROPERTIES	06-23-1997	00128210000507	0012821	0000507
SMITH DAVID;SMITH SUSAN LUCKY	10-31-1996	00125780001783	0012578	0001783

 **Values**

This information is intended for reference only and is subject to change. It may not accurately reflect the complete status of the account as actually carried in TAD's database. [Tarrant County Tax Office Account Information](#)

Year	Improvement Market	Land Market	Total Market	Total Appraised †
2022	\$0 (Pending)	\$0 (Pending)	\$0 (Pending)	\$0 (Pending)
2021	\$673,785	\$187,040	\$860,825	\$860,825
2020	\$673,785	\$187,040	\$860,825	\$860,825
2019	\$673,785	\$187,040	\$860,825	\$860,825
2018	\$443,768	\$187,040	\$630,808	\$630,808
2017	\$408,500	\$187,040	\$595,540	\$595,540

A zero value indicates that the property record has not yet been completed for the indicated tax year

† Appraised value may be less than market value due to state-mandated limitations on value increases

 **Exemptions**

Exhibit C

	05714303					42728396
	2018-04 06676448	2018-04 07540728	2018-04 07540736	2018-04 40689484	2018-04 07157029	04013239
	2018-04 06985513	2018-04 07540728	2018-04 07540736	2018-04 40689484	2018-04 07157029	04013239
	2018-04 06676448	2018-04 07540728	2018-04 07540736	2018-04 40689484	2018-04 07157029	04013239

Tarrant County College, Est. HERE, HERE, GeoTechnologies, Inc., NGA, USGS, IS/GIS



<b>PETITION BY 1817 LACEY, LTD.          TO REVOKE TEXAS POLLUTION          DISCHARGE ELIMINATION          SYSTEM ("TPDES") PERMIT          NO. WQ0015722001</b>	§ § § § §	<b>BEFORE THE TEXAS COMMISSION           ON           ENVIRONMENTAL QUALITY</b>
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**EXHIBIT D TO PETITION TO REVOKE TPDES PERMIT**

**AFFIDAVIT OF MABEL SIMPSON**

STATE OF TEXAS	§
	§
COUNTY OF DALLAS	§

BEFORE ME, the undersigned authority, on this day personally appeared Mabel Simpson, who on her oath, did depose and say as follows:

1. My name is Mabel Simpson. I am over twenty-one (21) years of age, of sound mind, and capable of making this affidavit. The facts stated in this affidavit are within my personal knowledge and are true and correct.

2. I am the President of Haslet Property Management, LLC, the General Partner of 1817 Lacey, Ltd., the owner of the real property located at 1817 Lacy Drive in Fort Worth. 1817 Lacey, Ltd. has owned that property since 2005. The business address of 1817 Lacey, Ltd. is 1755 N. Collins Blvd., #105, Richardson, Texas 75080. 1817 Lacey, Ltd. is owned by the General Partner, myself and Brad Greer. The property located at 1817 Lacy Drive is immediately adjacent to the wastewater discharge point authorized by TPDES Permit No. WQ0015722001 issued in 2019 to SigmaPro Properties, LLC ("SigmaPro") for its property located at 13241 Harmon Road in Fort Worth.

3. It is my understanding that the rules and procedures of the Texas Commission on Environmental Quality ("TCEQ") require an applicant for a TPDES permit to provide accurate

information concerning neighboring properties so that notice of the application can be provided to those who might be affected. I have reviewed the permit application file regarding SigmaPro's application for its TPDES permit, which I received in response to a Public Information Request I made to the TCEQ, and I see no reference to any disclosure by SigmaPro regarding 1817 Lacey, Ltd. or any of the individuals, such as myself, associated with the ownership of 1817 Lacy Drive.

4. Because SigmaPro did not provide accurate information to TCEQ regarding the identity and address of the owners of 1817 Lacy Drive in its permit application, neither 1817 Lacey, Ltd. nor anyone associated with the ownership of 1817 Lacy Drive received any notice of SigmaPro's application. The first time we ever heard anything regarding the TCEQ's issuance of SigmaPro's TPDES permit was in June of 2020, when our current tenant called to complain of water ponding behind the building on our property. Neither I nor anyone else associated with the ownership of 1817 Lacey, Ltd. ever received any mailing or similar notice from the TCEQ regarding any application for a permit to discharge wastewater onto the property at 1817 Lacy Drive.

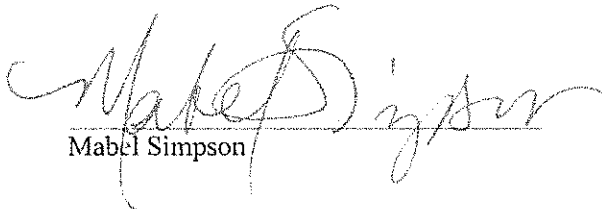
5. I understand that, had 1817 Lacey, Ltd. been put on notice of SigmaPro's permit application, we would have had the opportunity to present to the TCEQ our views of and opposition to the application, and further to request a contested case hearing on the application. I can say without any hesitation whatsoever that that is exactly what 1817 Lacey, Ltd. would have done, had it been made aware of the permit application when it was pending.

6. 1817 Lacey, Ltd. would have vigorously opposed SigmaPro's application because it would have been obvious that the water discharge at issue would negatively affect our property at 1817 Lacy Drive. The permitted discharges from SigmaPro's property have caused incredible harm to the property, including unexpected flooding and stagnant ponding of algae-ridden water,

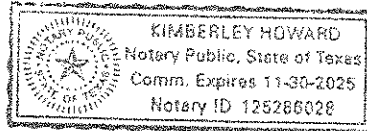
and to the business that has been conducted on the property by us and our tenants. The wastewater discharges, which consist of significant amounts of liquids, flow across the property and have killed vegetation in its path while growing thick green algae ponds that are stagnant and emit foul odors. This green liquid water saturates the ground and interferes with the currently in use on-site septic system. The fact that these adverse impacts could occur under a permit issued by the TCEQ would have been immediately clear upon 1817 Lacey, Ltd's review of SigmaPro's permit application – the one that we never got to see – in light of the natural contours of the land in relation to the details outlined in the permit as to the water discharge path and the volume of water SigmaPro sought authorization to discharge. Our review of the application would have clearly shown that our property would have been impacted immediately and adversely; however, we were never given notice to review SigmaPro's application.

7. If 1817 Lacey, Ltd. had received notice of the application, we could and would have explained the negative impacts of approving such an application and the problems created if the TCEQ were to issue such permit, and we could and would have shown the TCEQ why we were opposed to the permit being issued. Further, we would have requested a contested case hearing to present evidence to show why the permit should not be issued. Instead, 1817 Lacey Ltd. had no opportunity to do or say anything about the application before it was issued. We believe this situation is unfair because we were unable to have our voice heard on a matter that greatly negatively affects and harms our property.

Further, Affiant sayeth not.

  
Mabel Simpson

SWORN TO and subscribed before me on the 1 day of April, 2022, by  
Mabel Simpson.



*Kimberley Howard*  
Notary Public, State of Texas

**PETITION BY 1817 LACEY, LTD.  
TO REVOKE TEXAS POLLUTION  
DISCHARGE ELIMINATION  
SYSTEM (“TPDES”) PERMIT  
NO. WQ0015722001**

§  
§  
§  
§  
§

**BEFORE THE TEXAS COMMISSION  
  
ON  
  
ENVIRONMENTAL QUALITY**

**EXHIBIT E TO PETITION TO REVOKE TPDES PERMIT**

**DECLARATION OF CASEY A. BELL**

I am a licensed attorney in the State of Texas and represent 1817 Lacey, Ltd. in the above-styled matter. On April 1, 2022, on behalf of 1817 Lacey, Ltd., I mailed a copy of this petition and its exhibits, together with notice of 1817 Lacey, Ltd.’s intent to file the petition and exhibits with the Texas Commission on Environmental Quality (“TCEQ”), to SigmaPro Properties, LLC’s last address of record with the TCEQ via certified mail, return receipt requested.

My name is Casey Allen Bell. My date of birth is July 2, 1974. My address is 600 Congress Avenue, Suite 1900, Austin, Texas 78701, and United States of America. I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED in Travis County, State of Texas, on this 21<sup>st</sup> day of April, 2022.



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Casey A. Bell